



Gray Davis
Governor



Cal/EPA

Winston H. Hickox
Agency Secretary

Accomplishments
January–June 2003

& Priorities
July–December 2003

CALIFORNIA
ENVIRONMENTAL
PROTECTION AGENCY
OFFICE OF THE
SECRETARY

DEPARTMENT OF
PESTICIDE REGULATION

DEPARTMENT OF
TOXIC SUBSTANCES
CONTROL

INTEGRATED
WASTE
MANAGEMENT
BOARD

OFFICE OF
ENVIRONMENTAL
HEALTH HAZARD
ASSESSMENT

STATE WATER
RESOURCES
CONTROL BOARD

AIR RESOURCES
BOARD





California Environmental Protection Agency

Mission: *To restore, protect and enhance the environment to ensure public health, environmental quality and economic vitality.*

Vision: *A California that enjoys a clean, healthy, sustainable environment that enhances the quality of life for current and future generations, and protects our diverse natural resources.*

INTRODUCTION

When I started the semi-annual Cal/EPA *Accomplishments and Priorities* report in the summer of 1999, it was part of a coordinated effort to increase accountability and transparency in the agency. I count this effort as one of the hallmarks of the time I have spent in this office and I trust that Cal/EPA will continue to report to Californians on how it fulfills its mandates.

This report enumerates significant accomplishments of the boards, departments, and office within the Cal/EPA family for the first half of this tumultuous year. It also defines the goals for the second half.

References to Cal/EPA's *Strategic Vision* provide a context within which we set priorities in a time when tough decisions are required.

The purpose of this document (and future reports like it) is to ensure that all interested parties—legislators and staff, environmental organizations, media industry and other Californians—have a clear picture of where we are and where we are going.

Accomplishments and Priorities is intended both as a summary and a starting point for an ongoing dialog regarding the direction in which Cal/EPA is headed.

On a personal note, it has been an honor and a pleasure to work with the entire Cal/EPA staff as well as the thousands of Californians with whom I have come in contact during the past nearly five years.

Winston H. Hickox, Agency Secretary

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CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY OFFICE OF THE SECRETARY

Unless otherwise indicated, all dates given are for 2003.

California Environmental Protection Agency Office of the Secretary

Sustainability and Pollution Prevention

Also known as source reduction, pollution prevention (P2) is an environmental protection approach that reduces or eliminates pollutants before they are generated. P2 differs from more traditional regulations that seek to control pollutants via management strategies. The Cal/EPA boards, departments, and offices have long viewed pollution prevention as an essential function and a preferred method for lessening the impacts of toxic and other problematic chemicals on the environment. Cal/EPA, industry, and the public are all interested in seeing an agencywide, comprehensive, multi-media approach to P2. Such an approach would provide for better coordination of these activities, especially within the context of promoting sustainable management systems. The Office of the Secretary's P2 efforts are directed toward this end.

Cal/EPA Strategic Vision: Promotes P2, supporting the “integration of pollution prevention strategies into the mainstream of the permitting and regulatory process.”

Cal/EPA Goal 4: “Communities that are free from unacceptable human health and ecological risks due to exposure from hazardous substances and other potential harmful agents,” features five objectives that focus on reducing or minimizing chemical contaminants and waste streams.

Accomplishments

1. **Cal/EPA P2 Team:** The Cal/EPA P2 team met monthly in the first half of 2003 to accomplish all of the following:
 - Finalized a team charter that defines pollution prevention and the scope of the team's activities; establishes the team's mission; identifies guiding principles and project deliverables; and defines the roles of the team leader, members, and sponsors.
 - Finalized a work plan for the second half of 2003 (reflected in the priorities section below).
 - Supported the P2 component of the “performance for sustainability” projects by providing a cross-pollination of project participants and ideas.
 - Discussed pollution prevention initiatives and ways to improve cross-media and cross-program coordination.
2. **California P2 Partnership (CAP3):** CAP3 is a project with the Department of Defense to establish a stronger working relationship between the State and its various military installations. CAP3 will better protect the environment by promoting pollution prevention, enhancing communication, and fostering innovation.

The CAP3 partners met quarterly in the first half of 2003 to identify priority issues and foster the exchange of background and technical information about P2 practices between the State and its military partners, as well as other public and private entities.

Priorities

1. **Cal/EPA P2 Team:** The Cal/EPA P2 team will meet monthly during the second half of 2003 to do all of the following:
 - Make final recommendations to the sustainability/executive steering committee concerning an agencywide P2 policy statement.
 - Develop communication tools to internally and externally promote P2, starting with information pages and links on the agency Web site.
 - Identify and report on emerging P2 issues that include the identification of common themes (such as industries or pollutants of concern) between Cal/EPA boards, departments, and offices. These issues include:
 - ▣ Identifying and removing impediments to the implementation of P2 strategies.
 - ▣ Identifying opportunities to apply P2 principles and encourage adoption.
2. **California P2 Partnership (CAP3):** Cal/EPA will continue to participate in the partnership by furthering the exchange of technical information on P2 practices and success stories between the State and its military partners, as well as other public and private entities.

Environmental Justice Program

The goal of environmental justice (EJ) in California is “to reduce or eliminate the disproportionate impacts of pollution on low-income and minority populations.” In 1999, Governor Davis signed the first explicit environmental justice legislation in the nation (SB 115, Solis, Chapter 728, Statutes of 1999) defining environmental justice and establishing an environmental justice program within Cal/EPA. Consequently, Cal/EPA has made the achievement of environmental justice an agency priority.

Accomplishments

1. **Cal/EPA Advisory Committee on Environmental Justice’s Draft Recommendations Report to the Interagency Working Group:** The Cal/EPA advisory committee on environmental justice developed a draft agencywide EJ strategy recommendations report (www.calepa.ca.gov/EnvJustice/Committee/EJACRecommendations.doc). In July 2003, the committee’s draft recommendation report was scheduled to be released for public comment. The report attempts to incorporate suggestions obtained from previous environmental justice public meetings and workshops.

2. **Cal/EPA EJ Small Grant Program Regulations:** AB 2312 (Chiu, Chapter 994, Statutes of 2002) established a small grant program within Cal/EPA awarded on a competitive basis to nonprofit entities and federally recognized tribal governments that are located in areas adversely affected by environmental pollution and hazards. Regulations were developed to describe the program procedures for applying for the grant, the criteria to be used in determining which applications will be funded, and the administrative and fiscal requirements governing the receipt and expenditure of grant funds in accordance with the legislation. These regulations are posted at www.calepa.ca.gov/LawsRegs/ProposedRegs/EnvJustice/Regulations.pdf.
3. **EJ Component in the Cal/EPA Environmental Enforcement and Training Grants Program Regulations:** The Environmental Enforcement and Training Act of 2002 (AB 2486, Keeley, Chapter 1000, Statutes of 2002) established the Environmental Enforcement and Training Grant Program within Cal/EPA. The regulations describe the procedures for applying for the grants and the criteria to be used in determining which applications will be funded. The regulations also cover administrative and fiscal requirements governing the receipt and expenditure of the grant funds, and they incorporate an environmental justice component into the objectives for the training courses.

Priorities

1. **Inter-Agency Environmental Justice Strategy:** The public comment period on the Cal/EPA advisory committee on environmental justice draft recommendations report will end in September 2003. The advisory committee will meet to discuss the comments made and ready the draft report for presentation to the interagency working group in early 2004 for potential incorporation in Cal/EPA's inter-agency environmental justice strategy.
2. **Environmental Justice Web Site:** Cal/EPA's environmental justice Web site facilitates access to environmental information and resources for stakeholders interested in environmental justice. Cal/EPA will further enhance the EJ Web site (www.calepa.ca.gov/EnvJustice/) to encourage effective public participation and coordination on environmental justice issues.
3. **Cal/EPA EJ Small Grant Program:** The small grants program will be further developed per the intent of the 2002 legislation by detailing criteria needed to apply for the small grants.
4. **Environmental Justice and Government Coordination:** Cal/EPA will work to examine opportunities to enhance coordination efforts with other governmental agencies on environmental justice issues. Cal/EPA will meet with other governmental agencies to discuss ways to effectively coordinate between Cal/EPA and other agencies that may involve a multitude of governmental (local, State, and federal) influences.

Brownfields

Cal/EPA is committed to putting California's brownfields (areas previously used for industrial purposes that are now polluted or perceived to be polluted) back into productive use in order to

stimulate redevelopment in urban cores, protect public health and the environment, provide jobs, and improve the quality of life in affected communities.

To accomplish these goals, Cal/EPA works in partnership with Department of Toxic Substances Control (DTSC), the State Water Resources Control Board (SWRCB) and the regional water quality control boards. Together they identify impediments to brownfields cleanup and redevelopment, develop cleanup incentives, coordinate available cleanup processes, and develop networks that can assist in cleaning up and redeveloping brownfields.

Accomplishments

1. **Brownfields Coordination:** Cal/EPA continued discussions and meetings with brownfields stakeholders to develop relationships with those involved in brownfields development activities and to identify brownfields policy issues. To further the brownfields dialogue, Cal/EPA met with the following:
 - The Mill Reuse Task Force of the Technology, Trade and Commerce Agency.
 - Legislators and staff.
 - California Redevelopment Association.
 - California Center for Land Recycling.
 - Sacramento County Business Environmental Resource Center.
 - Greenlining Institute.
 - League of California Cities.
 - California State Association of Counties.
 - Sacramento Housing and Redevelopment Agency.
2. **Brownfields Working Group:** Cal/EPA hosted another meeting of the brownfields working group, comprised of representatives of local governments, businesses, developers, and environmental justice and environmental advocacy groups. The meeting established a working dialogue on brownfields cleanup and development issues. Key elements of the discussion included the following:
 - DTSC brownfields initiatives. DTSC presented a list of planned initiatives to facilitate brownfields cleanups, including:
 - Enactment of statutory changes to provide “process relief.” This would take place through the creation of an alternative statutory authority to govern brownfields cleanups

undertaken by someone other than a responsible party. The new chapter would ensure fully protective cleanups, but a less prescriptive process.

- Designating persons in each of its regions to be points of contact for brownfields.
 - Implementation of the private site manager program.
 - Development of brownfields guidance.
 - Working group subcommittees. The working group members will form subcommittees to focus attention more directly on the proposed issues.
 - Expanded communication. Members favored more frequent communication rather than one annual conversation.
3. **Brownfields Environmental Insurance:** Cal/EPA continued its efforts to develop and implement the Financial Assurance and Insurance for Redevelopment (FAIR) program. AIG Environmental and the Hartford submitted proposals to provide insurance policies in California under this program. Cal/EPA interviewed both insurance companies to further clarify the information provided in the proposals. Staff prepared a report to the Secretary analyzing the implementation efforts and the proposals and making recommendations on the FAIR program. The Hartford withdrew its proposal before a decision was made. The Secretary, in light of the recommendations and the Hartford's decision, provisionally selected AIG Environmental on June 2. The selection, and AIG's participation in the program, is contingent upon Cal/EPA and AIG Environmental reaching agreement on policy language, pricing, and program administration features.
 4. **Implementation of SB 32 (Escutia):** Cal/EPA, in conjunction with DTSC, SWRCB, and the Office of Environmental Health Hazard Assessment (OEHHA), has continued to implement the California Land Environmental Restoration and Reuse Act (SB 32, Escutia, Chapter 764, Statutes of 2001). This act established the CLERR program. Cal/EPA has completed the following program implementation tasks:
 - Created screening values.
 - SWRCB received the peer review comments of the San Francisco Regional Board's "Application of Risk-Based Screening Levels and Decision-Making to Sites with Impacted Soil and Groundwater, Interim Final, December 2001."
 - OEHHA entered an interagency agreement with DTSC to receive funding to develop the Cal/EPA screening values.
 - OEHHA developed a work plan and anticipated timeline for the development of the screening values and presented these proposals to executive management and external stakeholders.

- Cleanup programs. Cal/EPA, with DTSC and SWRCB, finalized the required informational document that compares the DTSC cleanup program with the cleanup program administered by the regional water boards. The document is intended to assist community groups and local residents to better understand the different regulatory processes that govern cleanups in California. The document is posted on the Cal/EPA Brownfields Web site at www.calepa.ca.gov/Brownfields/RegCleanup.htm.
5. **Coordination Efforts:** Cal/EPA facilitated the sharing of information and coordination of brownfields-related efforts within Cal/EPA and its boards, departments, and offices. Specific efforts included the following:
- Intra-agency brownfields coordination meetings, scheduled quarterly, took place in March and again in June.
 - Cal/EPA facilitated discussions with DTSC and SWRCB and regional water quality control boards to submit a grant application to U.S. EPA for a brownfields grant for California. This was the first comprehensive brownfields grant application submitted to U.S. EPA.

Priorities

1. **Brownfields Environmental Insurance:** Cal/EPA will continue its efforts to develop and implement the FAIR program. Cal/EPA will continue negotiations with AIG Environmental on the policy terms, pricing, and program elements of the FAIR program. Negotiations are expected to be completed and, if appropriate, an agreement signed by late 2003.
2. **DTSC Brownfields Initiatives:** Cal/EPA, in coordination with the SWRCB, will work with DTSC as it pursues implementation of its brownfields initiatives.
3. **Brownfields Working Group:** Cal/EPA will continue to facilitate communication among the members of the group and beyond. To facilitate ongoing discussions, Cal/EPA will initiate the following:
 - Focused discussion groups. Through electronic media (e-mail, listserv, and the Internet), Cal/EPA will facilitate ongoing discussions on a variety of topics suggested at the last working group meeting, including:
 - Guidance documents.
 - Legislative proposal language.
 - Brownfields metrics.
 - Cal/EPA brownfields policy/mission statement.
 - Financial tools available for brownfields development in California.

- FAIR program development/implementation efforts.
- E-mail newsletter/additional meetings. Cal/EPA will disseminate the latest brownfields information to its stakeholders via e-mail or through meetings.
- 4. **Cal/EPA Screening Values:** Cal/EPA, working with OEHHA, DTSC, and SWRCB, will continue to develop the Cal/EPA screening values. The first draft of the Cal/EPA screening values is scheduled for release by December 2003, with workshops to follow.
- 5. **Coordination Efforts:** Cal/EPA will continue to help coordinate brownfields-related efforts in California. Quarterly meetings of the Cal/EPA intra-agency brownfields roundtable will continue. In addition, Cal/EPA will continue to meet and communicate with DTSC, SWRCB, regional boards, and external brownfields stakeholders.
- 6. **Cleanup Processes:** Cal/EPA will join DTSC, SWRCB, and regional water quality control boards in examining State cleanup processes and programs. A comparison report of the programs, to be made available in fall 2003, will recommend changes and coordination in light of any differences.

International Affairs Unit

The international affairs unit of Cal/EPA directs the interaction of Cal/EPA and its boards, departments, and offices with the international community. The unit is responsible for the administration of the border environmental program in the California-Baja California, Mexico, border region. The vision of the program is to promote a standard of excellence for international cooperation and collaboration that focuses on resolving environmental and natural resource issues to help ensure the future quality of a cleaner, safer, healthier, and more prosperous world. To that end, Cal/EPA and its boards, departments, and offices have been working to address cross-media and bi-national issues.

Accomplishments

1. **Implementation of the Pretreatment and Wastewater Monitoring Agreement Program:** Cal/EPA is currently implementing the agreement that was signed by the State of California and government entities of Mexico in March 2001. Two phases of the project began in January:
 - Wastewater monitoring in Mexicali.
 - Development of changes to laws and policies in Mexico that will lead to a self-sustaining and ongoing industrial wastewater pretreatment program.
2. **Response to Clandestine Drug Lab Training Session:** Cal/EPA staff, along with the emergency response unit of the Department of Toxic Substances Control, presented two eight-hour classes to Mexicali firefighters and Tijuana police responsible for hazardous materials response. Law enforcement efforts in California to eradicate clandestine drug laboratories have resulted in the establishment of many laboratories in Tijuana and Mexicali.

Since one kilogram of finished product results in the generation of nine kilograms of waste, a large quantity of waste is being illegally disposed in sewers, waterways, on land, and in municipal solid waste streams.

3. **International Dignitary Program:** The international affairs unit hosted seven groups of dignitaries from foreign countries in the past six months. These meetings were arranged to provide the guests with information about California's cutting-edge environmental programs and to foster the exchange of information between the visitors and technical specialists and managers at Cal/EPA.
4. **Development of a Unified Solid Waste Collection and Management System in the Imperial Valley:** Cal/EPA staff have been leading an effort to consolidate the solid waste collection and management systems of the cities of Brawley, Calexico, Imperial, El Centro, Westmorland, and specified unincorporated areas of Imperial County. Cal/EPA was instrumental in securing the funding for the study to determine the feasibility of the consolidation.
5. **Hands Across the Border:** Cal/EPA staff organized and implemented a tour of water treatment plants in Tecate and Mexicali for officials from California water agencies and the Association of California Water Agencies (ACWA). The goal was to assess current conditions and address how Cal/EPA and the agencies on the tour can significantly improve distribution system water quality in the border region.
6. **Commission on Environmental Cooperation:** The international affairs unit is now represented on the Commission on Environmental Cooperation (CEC), an advisory board of the U.S. EPA formed to address cross-border environmental issues. The CEC is comprised of representatives of Canada, the United States, and Mexico. Activities during the last six months included participation in a semi-annual conference and the development of a recommendation to the commission to utilize the California Environmental Protection Indicators (EPIC) when determining the efficacy of an environmental program.
7. **Water, Energy and the Environment Conference:** The international affairs unit has coordinated with representatives of the State Water Resources Control Board and the California Energy Commission regarding cooperation to lead an effort to convene the conference. The purpose of the conference will be to bring together decision-makers, stakeholders, and policy-makers to develop action items to promote the sustainability of water and energy resources while protecting the quality of the environment. The conference is tentatively scheduled for November 2003 in Mexicali.
8. **Border 2012 Regional Work Group Meeting:** Cal/EPA participated in the first California-Baja California Border 2012 regional work group meeting in Calexico. This regional work group is co-chaired by the Baja California Representative of Mexico's Secretariat of the Environment and Natural Resources (SEMARNAT), the Secretary of the Baja California Directorate of Ecology, the Regional Administrator of U.S. EPA Region 9, and Cal/EPA Secretary Hickox. The group is

responsible for the establishment and operation of international task groups that will address specific environmental issues or media in the border region. The first meeting was designed to serve as an introduction to stakeholders regarding the processes implemented to meet the goals of the Border 2012 program.

9. **Cal/EPA-U.S. EPA Pilot Project to Remediate Illegally Disposed Waste Tires in Baja California:** The international affairs unit plans to begin a study to identify regulatory and economic parameters that must be addressed to remove, transport, reuse, treat, or dispose tire piles in Baja California. The second phase of the project will be the cleanup of a small tire pile. Based on the results achieved by the pilot project, Cal/EPA and U.S. EPA will attempt to secure funding to remediate a larger tire pile, such as the pile on Centinela Mountain near Mexicali.
10. **Border Region Native Nations, the Environment and the State of California Conference:** Cal/EPA sponsored a government-to-government conference regarding environmental protection for tribal nations. The two-day conference focused on identifying environmental issues and solutions for these challenges. Cal/EPA presented and discussed a proposed policy for working with the tribes along the California-Baja California border. Cal/EPA is accepting comments regarding this policy and will consider them in the production of the next draft that will be released in the second half of 2003.
11. **Agreement of Cooperation Between the State of Baja California and the State of California to Carry Out a Pilot-Scale Vehicle Emissions Inspection Program for the City of Tijuana:** The final group of technicians were trained in the correct operation of the emission monitoring equipment that will be delivered to and operated by the city of Tijuana.
12. **Master's of Public Administration and Transborder Governance Advisory Board:** Cal/EPA participates in an advisory board that has as a goal the establishment of a joint masters degree issued by San Diego State University and the Autonomous University of Baja California.
13. **Environmental Incidents at the Border:** Cal/EPA participated in research related to two environmental incidents having cross-border impacts. The first incident was a February fire at a recycling facility in Otay Mesa, San Diego County that sent a plume of acrid smoke in a southbound direction. The second incident was a June tire fire at a tire recycling facility west of Mexicali, approximately three miles south of the U.S. border.
14. **Imperial County Colonia Environmental Infrastructure Improvement Project:** Cal/EPA staff conducted a tour with representatives of the Imperial County Community Development Department of the colonias in the county. "Colonias" are defined as communities within 150 miles of the U.S.-Mexico border that are identified by the lack of basic community development criteria. These criteria include the absence of a potable water supply, lack of an adequate sewage system, or the lack of safe and sanitary housing. Cal/EPA will be working with Imperial County to leverage funding for these areas for environmental infrastructure improvements to wastewater collection systems.

15. **Sampling and Analysis of Hazardous Materials Workshop:** Cal/EPA staff conducted two eight-hour workshops for government officials and business representatives in Tijuana and Mexicali regarding the methods to handle, analyze, package, and transport hazardous materials and wastes. The purpose of the classes was to provide information available from training courses taught in California to trainers in Baja California who will use the materials to teach further courses.
16. **Computer Donation to Environmental Protection Agencies in Mexico:** As part of the California Border Environmental and Public Health Protection Fund implementation bill of 2000, the international affairs unit obtained and transferred surplus computer equipment to Mexican environmental regulatory agencies in the border region.
17. **Border Region Children's Blood Lead Level Study:** The international affairs unit, in coordination with staff from the Office of Environmental Health Hazard Assessment, implemented a U.S. Center for Disease Control-funded study to determine the level of lead in the bloodstreams of children living near the San Diego County border with Tijuana.
18. **Infrastructure Improvement Grants and Loans:** The international affairs unit is spearheading an effort to identify funding for several projects in Baja California. These projects include training for operators at water and wastewater plants, a study to determine the feasibility of the establishment of a regional analytical lab for water, funding for a wastewater plant sludge characterization study (to determine alternate disposal methods or reuse), and a study to determine additional uses for treated water. Cal/EPA is seeking funding from the North American Development Bank and the Border Environmental Cooperation Commission.

Priorities

1. **Environmental Education Agreement:** In May, Cal/EPA led the development of an environmental education agreement between Cal/EPA, the Mexican Federal Secretariat of the Environment and Natural Resources and Secretariat of Education, California Secretary for Education, the Baja California Secretariat for Ecology and Secretariat for Education, and the California Integrated Waste Management Board. In the second half of 2003, Cal/EPA will sponsor a conference to host and train educators regarding the environmental curriculum developed as part of this program.
2. **Implementation of the Pretreatment and Wastewater Monitoring Agreement Program:** Cal/EPA will organize and analyze ongoing results of monitoring, and surplus monitoring equipment will be donated to water agencies in Baja California.
3. **Agreement of Cooperation Between the State of Baja California and the State of California to Carry Out a Pilot-Scale Vehicle Emissions Inspection Program for the City of Tijuana:** It is anticipated that the emissions monitoring equipment will be installed and become operational and that a training facility for technicians will be established in Tijuana.

4. **Environmental Management System (EMS):** Cal/EPA is managing a grant from the U.S. EPA to implement an EMS at three to four small-to-medium-sized businesses in the border region. The purpose of this program is to determine if EMS can be used as a tool to prevent the spread of contamination across the border. During the second half of 2003, Cal/EPA will gather data to identify contamination and conduct workshops to teach EMS principles to the targeted businesses.
5. **Border Governors Conference:** Cal/EPA will lead the development and establishment of the newly created energy work table of the Border Governors Conference. The new work table will serve to address energy issues faced by the border and will work in tandem with the environmental work table. Additionally, Cal/EPA will co-chair the environmental work table.
6. **Agreement of Cooperation on Ambient Air Quality Monitoring Between the State of California and the Government of Mexico:** Cal/EPA will negotiate and sign an agreement between the two governments in the second half of 2003.
7. **Ten States Retreat:** Cal/EPA will provide coordination support and actively participate in the annual Ten States Retreat to be held in Ensenada, Baja California, in early November 2003.

Children's Environmental Health Center (CEHC)

The CEHC coordinates—within Cal/EPA and with other State and federal agencies—activities related to environmental impacts on children's health. Children are particularly sensitive to many environmental pollutants, and California is a leader in analyzing and responding to the challenge of protecting and improving their environmental health.

Accomplishments

1. **Greater Participation in the Environmental Council of the States (ECOS):** The CEHC provided technical and general support to the chair and assisted in planning workshops and presentations at the ECOS spring 2003 meeting in Washington, D.C.
2. **Outreach and Communication:** To assist in public outreach and communications, CEHC developed a page on the Cal/EPA Web site that includes a downloadable link (www.calepa.ca.gov/ChildHealth/) to the first biennial report to the Governor and Legislature.
3. **Childhood Asthma:** In partnership with the Department of Health Services, the CEHC submitted a competitive grant proposal to ECOS in May to fund a pilot project to reduce the exacerbation of childhood asthma in the outdoor environment at school. Awards are yet to be announced, but the grant would run from August 2003 to August 2004.
4. **Good Neighbor Environmental Board (GNEB):** In June, CEHC was invited to participate in preparing the seventh report of GNEB to Congress and the President. CEHC will work with Cal/EPA's border affairs unit to prepare written materials for the report.

Priorities

1. **Support to the ECOS:** CEHC will provide technical support to the new environmental health forum co-chaired by Cal/EPA at the annual meeting in August 2003. CEHC will also provide technical support to the proposed environmental health workshop in late fall.
2. **Outreach and Communication:** CEHC will continue to co-chair and participate in the California Interagency Asthma Interest Group with the Department of Health Services. As part of the grant proposal to ECOS, CEHC will work with California's local air districts on communicating the health effects of poor air quality to schools and school children. CEHC will continue to make improvements to its Web page.
3. **Childhood Asthma:** A one-year collaborative effort with DHS will begin if the CEHC is awarded funding from ECOS to reduce the incidence of asthma in schools through better communication of the air quality index (AQI). CEHC and DHS may also apply for additional U.S. EPA grant funds to conduct a pilot project to test the efficacy of improved AQI reporting (bilingual). Funding would come in calendar year 2004.
4. **Good Neighbor Environmental Board:** CEHC will assist in preparing the GNEB report on the effects of air and water quality on children's health. The report will also cover two Air Resource Board programs to reduce air pollution, school bus upgrades, and border vehicle inspections. The GNEB report will be completed before the end of 2003.

Military Base Remediation and Reuse

Heeding the Governor's call to grow California's economy wherever possible, the Office of Military Base Remediation and Reuse continued its commitment to convert military base properties to civilian use and productivity wherever possible and practical. The office assisted ongoing efforts to ensure early transfers of these properties, including transfers to civilian reuse and productivity on a graduated basis. Environmental cleanups were not complete in all instances, but the cleanup plans ensured that only the safe and clean portions of the facilities were returned for civilian reuse. This careful planning requires the concurrence of the Governor's office prior to the early transfer.

In addition to this principal commitment, the office of Assistant Secretary, Military Base Remediation and Reuse also serves as a liaison for matters involving the military and its impact on the environment in California. Keeping the current military force prominent in California's diverse economy is also an objective of this office. The office works closely with the Office of Military Support in the Technology, Trade and Commerce Agency. The office also works with local environmental regulators to ensure that the operation of military facilities continues without adverse impacts to human health and the environment.

Finally, this office also coordinates the Secretary's outreach efforts with large and small businesses, trade associations, and industry representatives.

Accomplishments:

1. **Outreach Program:** In the first six months of 2003, the Secretary's office spoke before eight trade associations and business interest groups. They included repeat requestors, such as the California Manufacturing and Trade Association and the California State Chamber of Commerce, and new requestors, such as the California Cast Metals Association and the Southern California Aggregate Manufacturer's Association.

In addition, the office initiated four speaking engagements with smaller business groups.

Finally, the Secretary also spoke to national and international environmental groups via video-conferencing at our headquarters building. The sessions took place in a group setting with environmental advocacy groups and international government and trade representatives across the country and in Europe.

2. **Military Facility Issues:** Recognizing the need for a continuing diverse economy in California, this office redoubled its efforts to assist the Technology, Trade and Commerce Agency to retain the current military force structure as an important factor in California's economy. The Secretary spoke about this before the California Space Authority and the California Aerospace Technology Association during this period. The office also worked on several issues to generate a California delegation position on a variety of federal and State legislative issues that would enable the military to remain at its current force structure level in California while complying with environmental regulatory requirements.

Representatives of the Office of the Secretary continually worked with local organizations to ensure that the State's commitment to keeping the current active force was most effectively presented. The office provided specific assistance to ensure that local organizations did not dismiss or ignore environmental regulatory requirements in their zeal to make a case for preservation of the current force structure.

3. **Early Transfers of Closed Military Facilities:** Working with the Department of Toxic Substances Control (DTSC) and the State Water Resources Control Board (SWRCB), the agency was able to achieve transfer or near completion at the following closed military facilities:

- Remaining parcels at Mare Island Naval Shipyard.
- Hamilton Army Airfield (Solano County).
- Oakland Army Depot (Alameda County).
- Naval Communications Center, Stockton (San Joaquin County).
- Former NASA property in Southern California.

For some bases, the office was unable to meet goals set at the beginning of the year; but plans accelerated for others. Unexpected impediments and budget constraints prevented the move of some bases, but the office achieved major progress at all of them. The office expects that these bases will transfer and redevelop in the second half of 2003.

Reoriented priorities enabled Cal/EPA to continue its efforts at Fort Ord (Monterey County), Marine Corps Recruit Depot, San Diego (San Diego County), Naval Station Long Beach (Los Angeles County), and El Toro Marine Air Station (San Diego County).

Priorities

1. **Outreach Program:** Recognizing the need for an informed regulated community, Cal/EPA will continue its efforts to open communication lines between the Secretary and senior department officials with interest groups, trade associations, and municipal organizations. Continuing outreach will explain Cal/EPA's efforts and detail effective compliance for the regulations. Further outreach will be conducted to interest groups and interested communities that have not been involved in these presentations before, specifically small business enterprise and small business interest groups. These efforts will be conducted in coordination with the Governor's Office of Small Business Assistance in both Sacramento and Los Angeles.
2. **Military Facilities Program:** The contributions of the military to California's economic stability are well-known. These contributions will be significant as Cal/EPA plans how to assist communities to ensure human health and safety while keeping military bases at their current locations.

Cal/EPA plans to participate in the pollution prevention (P2) program currently being implemented at several military facilities. The Secretary signed an agreement with the military to advance these proactive compliance principles. These principles should ensure easier and more cost-effective ways for the military to achieve compliance with regulatory frameworks.

3. **Early Transfer of Closed Military Facilities:** Reacting to schedule changes, funding commitments, and available development commitments, Cal/EPA will reorient its effort toward clearing bases for reuse that are the closest to completion. The following sites were planned for complete reuse in the first half of the calendar year, but they were not completed due to unforeseen circumstances. These include:
 - Oakland Army Depot transfer to the Port of Oakland.
 - Hamilton Army airfield transfer to private development.
 - Navy Communications Facility Stockton transfer to the Port of Stockton.
 - Former NASA properties transfer to the city of Downey.

In addition, the following military facilities are capable of civilian reuse by the end of the calendar year. They include:

- Naval Station Treasure Island transfer to the City/County of San Francisco.
- Hunter's Point Naval Shipyard transfer to the City/County of San Francisco.
- Long Beach Naval Station transfer to the Port of Long Beach and private developers.
- Marine Corps Recruit Depot transfer to the City/County of San Diego and private developers.
- El Toro Marine Corps Air Base transfer to a regional municipal partnership.

Agency efforts will focus on these specific sites since they are close to completion and structured reuses.

Finally, there is ongoing recognition of the need for clearing up disagreements and disputes with federal military representatives on interpretations of controlling environmental regulations. Cal/EPA will continue to work closely with military representatives to clarify responsibilities for the Resource Conservation and Recovery Act (RCRA) the California Environmental Quality Act (CEQA) and the Porter-Cologne Act to ensure that these disputes are resolved without hindering development of military sites.

Renewed efforts have been made to complete records of decision (ROD) to accelerate the review process and to clarify consent agreements prior to signing. This will minimize unplanned and unexpected delays of the reviews.

4. **New and Emerging Issues:** The office has increased efforts during the past six months to complete the remediation of military facilities. These efforts, along with new issues and technologies, have created additional challenges for Cal/EPA and the military throughout California. The most significant of these is raising awareness of the pervasiveness of perchlorate in California's drinking water supplies and its possible impacts on human health and the environment.

Cal/EPA is committed to securing an agreement with the military to address investigation, characterization, and the commencement of remediation of the presence of perchlorate in California's drinking water supplies. Cal/EPA's goal is to ensure these water supplies are within accepted minimum health standards. Since perchlorate seems to be present wherever military activities have been undertaken over time in California, Cal/EPA will be working very closely with every level of the Department of Defense and Congress. Cal/EPA intends to achieve some understanding and coordination to address this emerging issue, which could hinder the reuse of closed military facilities and compliance at ongoing operations at active military sites.

Enforcement

Consistent and fair enforcement of environmental laws is necessary to achieve Cal/EPA's Strategic Vision of air that is healthy to breathe; surface waters safe for fishing and swimming; groundwater safe for drinking and other beneficial uses; and communities free from unacceptable human health and ecological risks, exposure to hazardous substances and other potentially harmful agents. Uniform and fair application of environmental laws is also necessary to achieve environmental justice in California through elimination of disproportionate impacts of pollution on low-income and minority populations, to provide a consistent level of community protection, and to ensure a level playing field for regulated businesses.

To achieve these visions and the strategic goals of an efficient and effective Cal/EPA, we must provide proper training on enforcement and coordinate effective cross-media investigations and enforcement actions. Cal/EPA is mandated to improve cross media training, to coordinate investigation, and to improve statewide consistency in environmental enforcement by Government Code 12812.2.

Accomplishments

1. **Enforcement Progress Report:** Cal/EPA published its second Environmental Enforcement Progress Report covering the years 1999–2002. The report contains quantitative data regarding number of inspections and enforcement actions. It also contains qualitative information describing the challenges and success of Cal/EPA; its boards, departments, and offices; and local counterparts in the enforcement area. The report is available at www.calepa.ca.gov/Enforcement/.

The purpose of the report is to provide “transparency” for our enforcement actions and better access by government entities and the public to Cal/EPA enforcement information.

2. **Case Development and Referral:** Cal/EPA took significant action pursuant to its authority to coordinate actions and investigations involving environmental violations.
 - Grease Haulers Task Force/Thrifty Best Service/Ameriguard case. Cal/EPA coordinated efforts between prosecutors and investigators throughout California to stop the widespread illegal disposal of restaurant grease through a focused task force approach. These illegal disposals to sewers and storm drains cause sewage blockages, environmental degradation, and potential health threats. Thirteen district attorney offices filed a coordinated civil complaint against Thrifty Best Service and later added Ameriguard Maintenance Service. The district attorneys obtained restraining orders prohibiting further illegal disposals. This is the largest multi-county district attorney action ever brought in an environmental case. Fresno-based Thrifty Best Service and a successor company, Ameriguard Maintenance Service, allegedly violated water pollution laws and deceived customers with false advertising that promised proper disposal of grease.

3. **Training:** Due to the fiscal crises in California, Cal/EPA lowered costs, maximized efficiencies, and found alternate sources of federal funding and funds from nonprofit organizations. Cal/EPA continued to support a vital environmental enforcement infrastructure by providing cross-program enforcement training.

Enforcement case settlements also provided income. In this way, those who violate the law pay for training the inspectors needed to ensure compliance with the law. Funding included reimbursement for travel expense for State and local environmental staff to attend existing training programs.

Cal/EPA offered the following training programs:

- In the spring, State and local inspectors received training at the Basic Inspectors Academy in San Luis Obispo.
 - Cal/EPA offered its Cross Media Enforcement Symposium in May. Alternate sources of funding—including special funds obtained in the settlement of enforcement cases and funding from a nonprofit organization—paid for all speaker travel and for scholarships for 55 State and local government staff to attend.
 - Cal/EPA provided scholarships for 21 local agency staff to attend the annual CUPA/Underground Tank Conference. These scholarships were funded through settlements of enforcement cases designated for enforcement training.
4. **Specialized Training:** In addition to formalized training, Cal/EPA hosts informal low- or no-cost training opportunities on special topics. These included the following:
 - Environmental Crime Scene Investigation, offered at Cal/EPA headquarters in conjunction with the California Hazardous Materials Investigators Association (CHMIA) and UC Riverside Extension. This course provided investigators with exposure to traditional forensic crime scene investigative techniques as applied in the environmental context. Funding was provided by CHMIA.
 - Federal Contract Suspension and Debarment, a one-day course at Cal/EPA headquarters offered by Cal/EPA in conjunction with U.S. EPA. The session provided insight into the debarment process and gave attendees the necessary information for utilizing debarment as an enforcement tool.
 - Illegal Disposal of Solid Waste on State and Tribal Lands. Cal/EPA assisted the CIWMB and UCLA in developing training for Local Enforcement Agency (LEA) personnel and tribal community solid waste inspectors. The first training sessions were held in Southern California in the spring; additional sessions are scheduled in Northern California in fall 2003.

5. **Investigations:** Several pending enforcement cases have been identified and investigations are underway using cross-media enforcement tools and methods. These tools enable Cal/EPA's boards, departments, and offices to perform investigations encompassing more than one media or program such as toxics, underground storage tanks, and water or air quality violations. The investigations include cases that involve inedible food grease waste haulers, underground storage tanks, landfills, and jewelry manufacturing operations.
6. **Enforcement Data Project:** In 2002, Cal/EPA received a U.S. EPA Network Readiness Grant. Through the Integrated Data Environmental Assessment (IDEA) project, this grant will provide a mechanism to integrate enforcement data among the Cal/EPA boards and departments and local government entities. Sacramento County is designated as the pilot region for this project. Its participating agencies include the Certified Unified Program Agency, the LEA, the Air Quality Management District, and publicly owned treatment works. In 2003, Cal/EPA chaired several meetings to gather ideas about sharing environmental enforcement data among local and State levels and its transfer and accessibility in a useable form by stakeholders. Cal/EPA has evaluated technologies and initiated steps to install equipment and software to provide network capabilities. Cal/EPA has also participated in the steering committee to coordinate this effort among its boards, departments, and offices.
7. **Border and Indian Tribes:** Cal/EPA continued to work with governments from both sides of the California/Baja California border to discuss and resolve important enforcement issues that affect the border area. Most of Cal/EPA's expenses for border enforcement work are paid for by U.S. EPA either directly or through a nonprofit entity funded by U.S. EPA ("the Western States Project"). In addition, Cal/EPA has made outreach efforts toward tribal communities to include them in environmental enforcement dialogue.
8. **Grant Regulations:** In the first half of 2003, Cal/EPA proposed regulations designed to implement the provisions of the Environmental Enforcement and Training Act of 2002. Draft regulations to implement Penal Code section 14300 have been publicly noticed and are currently being reviewed at the Office of Administrative Law. The grant program established by the new law will provide needed supplemental funding for environmental enforcement and training activities through the California District Attorney's Association, the Peace Officer Standards and Training Commission, Cal/EPA, and other State and local agencies. The sources of funds are contributions received from the settlement of environmental enforcement cases.

Priorities

1. **Training:** Due to the current state budget crises, Cal/EPA is continuing to seek more efficient ways to deliver training activities. Alternate sources of funding for 2003–04 include the newly created enforcement and training account in Penal Code 14300. Cal/EPA will continue to offer training opportunities for California's environmental enforcement community through the Cal/EPA Basic Inspector Academy and other courses as appropriate and within budgetary

constraints. Cal/EPA also plans to update its clearinghouse of inspector environmental enforcement training opportunities on the Web.

2. **Enforcement Referrals:** In the second half of 2003, Cal/EPA expects to continue its cross-media investigations and to refer cases to the Attorney General's Office or other prosecutors as appropriate.
3. **Data Project:** Cal/EPA expects to continue coordination of the cross-media Integrated Data Environmental Assessment (IDEA) pilot project in cooperation with its boards, departments, and offices and the local environmental enforcement community. Effective enforcement requires good data management and an ability to quickly obtain compliance histories of facilities being investigated. Cal/EPA recognizes that as the number of regulated facilities grows, the need for effective information management will also rise. The U.S. EPA Network Readiness Grant provided through the IDEA project will enable Cal/EPA to make significant progress in this important area.
4. **Grease Haulers Initiative:** Cal/EPA is leading an effort to develop enforcement options and compliance assistance for the waste grease hauling industry. Among the efforts in this regard are the development of a fact sheet or matrix listing the various types of laws and regulations that a grease hauler must comply with and the penalties for non-compliance. Cal/EPA is also developing of model statewide regulations for grease haulers, including a manifest similar to that required for hazardous waste. Staff members are gathering data concerning the relationship between improper disposal, sewer overflows, and beach closures.

Unified Program

Established in 1994, the Unified Hazardous Waste and Hazardous Materials Management Regulatory Program (Unified Program) combines the implementation and administration of six previously distinct hazardous materials and hazardous waste regulatory programs into a single program under the direction of the Secretary for Environmental Protection. The Unified Program section carries out the Secretary and Cal/EPA's mandated responsibilities for statewide standards, program evaluation, training, support, and related activities. The Unified Program section works in consultation with the Office of Emergency Services, Office of the State Fire Marshal, Department of Toxic Substances Control, and the State Water Resources Control Board. A single local governmental entity called a Certified Unified Program Agency (CUPA) implements six regulatory programs. California currently has 82 CUPAs. Collectively the Unified Program regulates approximately 120,000 businesses within California.

The intent of the Unified Program is to improve public health and environmental protection by improving coordination and consistency in the implementation of the program elements through consolidation. The six program elements include:

- Underground storage tank program.

- Spill prevention control and countermeasures plan of the above-ground tank program.
- Hazardous waste generator and tiered permitting program.
- Hazardous materials release response plan (business plan) program.
- California accidental release prevention program.
- Hazardous materials management plans and hazardous material inventory statement elements of the Fire Code.

Cal/EPA's Unified Program helps fulfill Cal/EPA's strategic vision goal of ensuring that communities are free from unacceptable human health and ecological risks due to exposure from hazardous substances and other potentially harmful agents. The Unified Program section also contributes to ensuring an effective and efficient Cal/EPA in pursuit of its mission. These goals seek to reduce or eliminate the disproportionate impacts of pollution on low-income and minority populations.

Cal/EPA, State agencies with Unified Program responsibilities, the California CUPA Forum Board, and the U.S. EPA have formed the Unified Program Administrative and Advisory Group (UPAAG). This group provides overall program coordination, policy development, and development of issue solutions. UPAAG works through specific groups such as the UPAAG enforcement committee and the Statewide training committee. An annual two-day strategic planning meeting provides a consistent approach to each agency's annual work plan and ensures continual program improvement. This committee further strengthens the partnership formed in 1994 with the advent of the Unified Program, thereby improving consistency and coordination of the program statewide.

Accomplishments

1. **Enforcement Consistency:** The UPAAG enforcement committee developed necessary guidance, forms, training, and support to enable all CUPAs to implement the new enforcement authority available to them on January 1, 2003, through AB 2481 (Frommer, Chapter 999, Statutes of 2002). Training offered at the Unified Program annual conference in February included guidance and forms to implement the new Unified Program administrative enforcement order (AEO) authority. The CUPA forum established an AEO technical advisory group to provide an ongoing forum for discussion of AEO problems and solutions.
2. **CUPA Evaluations:** The last 2001 final CUPA evaluation reports from the backlog of 66 reports were sent to the CUPAs in April. Proposed changes to the evaluation process are under final review by State agencies and the CUPA Forum Board. These proposals will reduce, by about half, the time required to produce a final evaluation report. They will also lower the cost of evaluations for both State agencies and CUPAs and providing a more comprehensive assessment of each CUPA program.

3. **Outreach:** The UPAAG has formed the Unified Program industry and environmental roundtable. Participants include local, State, and federal agencies as well as representatives from industry and environmental groups. The meetings are held on the day following the quarterly UPAAG meetings. The roundtable serves as a forum in which stakeholders can identify issues and present ideas regarding program implementation. Outreach to stakeholders is one of the strategic plan objectives for fiscal year 2002–03.
4. **Communication:** The Unified Program section worked with the California Integrated Waste Management Board's information management branch staff to set up a Unified Program listserv distribution system. It will enhance the distribution and availability of the CUPA monthly newsletter and other information for all CUPA staff and interested parties. Since its implementation in February, more than 30 new users have subscribed to this service, ranging from government agencies (including one from out of state), military personnel, industry, consulting groups, and university faculty. The monthly newsletter is also now posted on Cal/EPA's Unified Program Web page www.calepa.ca.gov/CUPA/ and users can access a newsletter archive. The Unified Program section continues to work with CIWMB to develop a searchable detailed online directory of all Unified Program agencies as well as State and federal Unified Program agency contacts. Staff developed a project plan listing time frames and project goals.
5. **Rural CUPA Reimbursement Account:** During fiscal year 2001–02, the Legislature established the Rural Reimbursement Account. This account provides supplemental funding for small, rural counties that had been unable to support a CUPA based on fees imposed on the very limited number of regulated businesses in their jurisdictions. In fiscal year 2002–03, 11 rural CUPAs received up to \$60,000 each by applying for this grant: Calaveras, Colusa, Glenn, Inyo, Lassen, Mariposa, Modoc, Plumas, Sierra, Tehama, and Yuba.
6. **Surcharge Rates:** Following an analysis of revenue received and annual expenditures, Cal/EPA determined that annual surcharge rates would need to be increased to ensure necessary and reasonable program funding. The surcharge is assessed on all entities regulated under the Unified Program. The new rates were published in the California Regulatory Notice Register on May 23, commencing a 30-day public notice and comment period. The new rates become effective in September 2003.

Priorities

1. **Enforcement Consistency:** The TAG for administrative enforcement was created in June to resolve issues and/or problems with the administrative enforcement process. The TAG will also assure overall consistency of actions taken under this new enforcement authority, and it will help ensure effective and appropriate utilization of this authority by all Unified Program agencies. The TAG will also help identify and develop enforcement training for Web-based applications and the Unified Program annual conference.

2. **Annual Summary Report Training:** As an essential element in our commitment to improving the quality of data reported to Cal/EPA, the Unified Program section developed a training curriculum, training materials, and frequently asked questions to assist CUPAs in completing required annual summary reports. Six sessions took place in locations throughout the state in June and July 2003. Additional sessions are planned for electronic transmission via the pilot phone system data bridge and conference call.
3. **Regulatory Revision:** The Unified Program is nearing completion of the first component of its review and revision of Unified Program requirements in Title 27. Two committees composed of State and CUPA representatives are performing the review. One committee is working on forms, instructions, and data requirements for reporting by businesses and CUPAs; the second committee is working on all other Unified Program regulations in Title 27. The revisions will address outdated language, correct grammatical errors, restructure current requirements, and reorder some sections to modify language and improve clarity. Actual initiation of the formal rulemaking process, with a 45-day notice for public comment on the proposals of the second committee, is scheduled for September 2003. Public notice of the rulemaking for the first committee's work has been rescheduled for July 2004 due to other workload priorities.
4. **Annual Report:** The Unified Program section is preparing the first annual program report that will detail the program's history, implementation, and programs covered. The report will also cover agency involvement, strategic goals and objectives, evaluation of administration, enforcement at the local level, past and future challenges, and successes since program inception. The report is intended to demonstrate the program's success and the next steps in program improvement, and will serve to inform the public, State agencies, federal government, new local programs, and decision-makers.
5. **Communication:** The Unified Program section, with information management staff of the California Integrated Waste Management Board, is developing an interactive directory for State agencies and the public that will help them identify the appropriate CUPA or participating agency to contact for questions or permitting. Goals for the project include the following:
 - A comprehensive updated directory of contact information for Unified Program agencies.
 - E-mail groups for different committees and stakeholders.
 - A search function by geographic region.
 - Program elements of responsibility for all participating agencies.

Initial meetings to develop the database are set for July 2003, with implementation of the directory of contact information and e-mail groups planned for September 2003. Further phases of the project will include a search function.

6. **Environmental Indicators:** The measurement and reporting of environmental indicators to document the success of the Unified Program was identified as an important strategic objective during the March UPAAG strategic planning meeting. The Unified Program is participating in a Cal/EPA pilot project to test specific indicators that can be used in a results-based management system to track the environmental results of the program. Several Unified Program agencies are participating in a project that will look at the replacement of single-wall underground tanks with double-wall systems and the resulting changes in numbers of releases. The results will be compared to the numbers of single wall tanks remaining and the potential risk those pose. Development of this project started June 1, with implementation beginning in July 2003 and continuing for one full year.

Organizational Improvement

Cal/EPA's Quality Improvement Partnership focuses on continuous organizational improvement and performance excellence. Cal/EPA's Assistant Secretary for Planning, Program Effectiveness and Environmental Indicators—along with quality consultants from its boards, departments, and offices—provides internal management consultation on organizational effectiveness. The areas covered include strategic planning, measurement, process improvement, performance interventions, meeting planning and facilitation, resource development, and improvement in service delivery.

The goals of this partnership tie directly to Cal/EPA's Strategic Vision, Goal 8, which strives for an efficient and effective Cal/EPA in pursuit of its mission. The work supports Cal/EPA's objectives to lead by example, expand and improve cross-media communications, collaboration, and training, and conduct continuous evaluations of program effectiveness.

Accomplishments

1. **Strategic Vision Implementation:** In its efforts to implement the Strategic Vision finalized in July 2000, Cal/EPA has been working toward the integration of goals and objectives, work load activities, and environmental results. These efforts have included the development of Cal/EPA board, department, and office strategic plans, and the release of the Environmental Protection Indicators for California (EPIC) report in April 2002. After months of planning and discussion, Cal/EPA in June initiated an agencywide pilot project entitled "Building a Results-Based Management System for Cal/EPA." The goal of the pilot project is to assess the use of a results-based management system for Cal/EPA. The assessment will first test a process with an agency-led program and then Cal/EPA will select one program from each board/department/office for testing. The pilot project concept was formalized and approved for implementation during spring 2003. In June, a planning team completed phase I of the project with the development of the project's charter and prototype. This phase included selection of the pilot project and participants for the majority of boards, departments, and offices of Cal/EPA.
2. **Management Forums:** These forums provide an opportunity for the entire Cal/EPA management team to meet as a group, listen to noted speakers, and ask questions on issues pertinent to the

implementation of California's programs to protect the environment. In April, a forum focusing on media featured speakers Peter Schrag (columnist and former editor of *The Sacramento Bee*), Phil Yost (chief editorial writer and columnist for the *San Jose Mercury News*) and Marley Klaus (executive producer of "California Connected" on California's Public Television stations).

3. **The Governor's Environmental and Economic Leadership Awards:** The 2003 awards program included the following notable activities:

- Working with the State and Consumer Services Agency as a new partner, and joining Cal/EPA and the Resources Agency as administrators of the program on behalf of the Governor's Office.
- Updating the application in terms of additional categories of awards and criteria for evaluation.
- Soliciting sponsorships.
- Advertising the award program via numerous sources including Web sites, association newsletters, etc.
- Distributing the application by e-mail and mail to thousands of recipients.
- Developing evaluation materials and soliciting evaluators to review nominations.

Priorities

1. **Strategic Vision Implementation:** The development and implementation of the internal pilot projects of the "Building a Results-Based Management System for Cal/EPA" will be underway utilizing the "Plan-Do-Check-Adapt" model outlined in the prototype. The one-year pilot will conclude on June 30, 2004, leading the way to the development of findings and recommendations in phase III. Ultimately, the project findings and subsequent recommendations will assist Cal/EPA in developing strong links between activities and actions and their environmental outcomes.
2. **Communication/Collaboration:** The final two Secretary's management forums for 2003 will occur on August 14 and November 6. Speakers at the August forum, covering the environment and the law, will include Mr. Richard Frank (Chief Assistant Attorney General), the Honorable Michael P. Kenny (Superior Court of California, County of Sacramento), and the Honorable Ronald B. Robie (Third District Court of Appeal). Open staff forums will be held in several locations throughout the state in fall 2003.
3. **The Governor's Environmental and Economic Leadership Awards:** During the second half of 2003, Cal/EPA staff will complete the following tasks in preparation for selecting the Governor's Award winners:

- Soliciting for and selecting evaluation team members.
- Training teams to evaluate award nominations.
- Reviewing/assessing nominations.
- Conducting extensive research on all nominations.
- Selecting finalists and ultimately selecting the 2003 winners.

DEPARTMENT OF PESTICIDE REGULATION

ACCOMPLISHMENTS & PRIORITIES: January–June 2003

Department of Pesticide Regulation

The mission of the Department of Pesticide Regulation (DPR) is to protect human health and the environment by regulating pesticide sales and use, and by fostering reduced-risk pest management.

Protecting California's Water, Air, Food, and Land

Cal/EPA Goals 1, 2, and 3; DPR Strategic Plan Goal 1

Pesticides may adversely impact our environment. Protecting our environment from the use of pesticides is an expected outcome of the pesticide regulatory program. This outcome is driven by sound science and adequate data as part of a process for thorough, timely, and ongoing evaluations.

Accomplishments

1. **Chemigation Initiative:** DPR conducted 10 training sessions on September 10 and 18; October 21 and 24; November 7, 12, and 13; and December 5 and 11, to educate State and county enforcement staff and pesticide users about label requirements to protect the environment when adding pesticides to irrigation water (chemigation).
2. **Surface Water Protection:** DPR presented a series of regulatory options to limit surface water pesticide residues from dormant sprays. In 1996, DPR agreed to promote voluntary efforts by the agricultural industry to reduce water quality impacts from dormant sprays. The monitoring data and staff analysis showed that no improvement occurred during the five-year effort. DPR is drafting proposed regulations to ameliorate surface water contamination from dormant spray application, which will be released by the end of 2003. In a related step, DPR issued a reevaluation notice to the registrants of diazinon. DPR is requiring monitoring data and a plan to reduce diazinon contamination of surface water.
3. **Clopyralid and Compost:** In April 2003, DPR announced its decision to regulate specific uses of the herbicide clopyralid pursuant to Assembly Bill 2356 (Keeley, Chapter 591, Statutes of 2002). That law imposed sales restrictions on clopyralid beginning January 1, 2003, and required assessment of the need for further restrictions. DPR consulted with the California Integrated Waste Management Board during the process of deciding to add restrictions to clopyralid. DPR has announced restrictions on sales of certain clopyralid products to lawn and turf professionals. DPR will instruct those licensees to assure that green waste stays on-site when the herbicide is used and will require dealers to provide written notice of the restrictions when they sell select clopyralid products.
4. **Propanil Restrictions:** Propanil is an herbicide used on rice that has been found to damage adjacent crops. DPR will propose regulations to protect nontarget crops from this damage. Restrictions on the use of propanil were not finalized in time for the 2003 season. As an interim measure, the restrictions will be imposed through county permit conditions for the 2003 season.

5. **Rice Program:** The Central Valley Regional Water Quality Control Board approved a resolution allowing the use of certain herbicides in rice production under restricted-material permit controls instead of issuing a waste discharge requirement. DPR worked with the Central Valley Regional Water Quality Control Board and the rice industry to determine the monitoring that the rice industry will conduct in 2003.
6. **Groundwater Protection:** DPR proposed regulations that will, for the first time, prevent groundwater contamination from pesticides throughout the state. A fact sheet summarizing the new rules is available at www.cdpr.ca.gov/docs/empm/gwp_prog/factsheet.pdf. The regulations will be adopted by the end of 2003.
7. **Pesticides and the Clean Air Plan:** DPR continues to work with the Air Resources Board on strategies to effectively reduce volatile organic compound emissions from agricultural and commercial structural pesticides. DPR worked closely with the Agricultural Air Advisory Committee to evaluate the current set of data and to explore mitigation options.
8. **Mexfly Monitoring Continues:** The Mexican fruit fly eradication campaign began in San Diego County under the direction of the California Department of Food and Agriculture. The program involves aerial applications of spinosad, an organic compound. DPR monitored the treatments to ensure compliance and protection of people and the environment. Visit www.cdpr.ca.gov/docs/mexfly/index.htm for preliminary monitoring results.

Priorities

1. **Surface Water Protection:** By the end of 2003, DPR will (1) complete summer irrigation runoff monitoring of pyrethroids in surface water, and sediment and organophosphates in surface water, at eight draining agricultural areas of Stanislaus and San Joaquin counties; (2) complete the initial phase of diazinon dormant spray reevaluation by having a revised pesticide label from registrants to begin implementing mitigation measures; (3) complete negotiation with the U.S. Department of Agriculture to collaborate in the evaluation and implementation of conservation practices that have the potential of mitigating pesticide runoff; (4) complete a model program that could estimate the amount of pesticides partitioned in sediment; and (5) complete the report on a successful study of dormant spray runoff mitigation to assess the effectiveness of cover crops in mitigation storm runoff of esfenvalerate in an orchard.
2. **U.S. Environmental Protection Agency Grant:** Pest Management Alliance Program staff will begin work on a grant received from the U.S. Environmental Protection Agency (U.S. EPA) to provide almond growers with reduced-risk alternatives designed to reduce runoff of organophosphates and pyrethroids into surface water. This grant provides funds for staff to assist almond growers with methods for addressing total maximum daily loads, regulations, and implementation of reduced-risk practices.

3. **Clopyralid and Compost:** By the end of 2003, DPR will propose regulations furthering the restrictions on clopyralid use. DPR will restrict sales of certain clopyralid herbicide products to lawn and turf professionals, instruct those licensees to assure that green waste stays on-site when the herbicide is used, and require dealers to provide written notice of the restrictions when they sell select clopyralid products.
4. **Propanil Use Restrictions Implemented:** The regulations on propanil will be adopted by the end of 2003. The restrictions will prevent damage to adjacent crops when propanil is applied to rice.
5. **Groundwater Protection:** DPR will adopt regulations that will, for the first time, prevent ground water contamination from pesticides throughout the state. A fact sheet summarizing the new rules is available at www.cdpr.ca.gov/docs/empm/gwp_prog/factsheet.pdf.
6. **Pesticides and the Clean Air Plan:** DPR will work with the Air Resources Board on control measures for pesticides. By December 2003, DPR should complete calculations of the 2002 emissions inventory. DPR will also develop concepts of possible measures to reduce volatile organic compound emissions from pesticides and describe the concepts in the draft Ozone State Implementation Plan for the San Joaquin Valley.

Protecting Human Health

Cal/EPA Goal 4; DPR Strategic Plan Goal 2

The use of pesticides may adversely impact human health. Workers and sensitive populations such as children may be at a greater risk. Protecting people from unacceptable pesticide risks is an expected outcome of the pesticide regulatory program. This outcome is driven by sound science and adequate data as part of a process for thorough, timely, and ongoing evaluations.

Accomplishments

1. **Risk Assessments:** During fiscal year 2002–03, risk assessments were completed for metam-sodium, DEF, methyl isothiocyanate (MITC), methidathion, hydramethylnon, azinphos-methyl, and methyl parathion.
2. **School Integrated Pest Management Programs Surveyed:** DPR added the results of the 2002 Integrated Pest Management (IPM) survey of California school districts to its School IPM Web page at www.cdpr.ca.gov/cfdocs/apps/schoolipm/overview/main.cfm?crumbs_list=1,3. The survey measures adoption of IPM, progress of the Healthy Schools Act, and analyzes school districts' pest management programs in terms of demographic and geographic factors.
3. **Lompoc Project Completed:** In January 2003, DPR released the final report detailing the pesticide exposures in the community of Lompoc. DPR led an interagency effort to evaluate local concerns from pesticide exposures. The results of this evaluation demonstrated that pesticide air

levels were below levels indicating a health concern. A copy of the report may be found at www.cdpr.ca.gov/docs/dprdocs/lompoc/lompoc.htm.

4. **Preventing Pesticide Illness:** DPR maintains a compilation of data on pesticide-related illnesses recorded in California. Data are summarized into tables and the findings are released to the public. In March, DPR released the 2001 Annual Pesticide-Related Illness and Injury Report. DPR investigated 979 suspected pesticide illnesses in 2001, which is a decrease of 165 (14 percent) from 2000, when 1,144 cases were investigated. Pesticides were found to be at least a possible factor in 616 (63 percent) of the cases. Of those, 192 (31 percent) involved the use of pesticides in agriculture, and 424 (69 percent) occurred in other settings. The report may be found at www.cdpr.ca.gov/docs/whs/2001pisp.htm.
5. **Toxic Air Contaminant Listings:** In June 2003, DPR adopted regulations designating the pesticide chemical MITC and other pesticides that generate MITC as toxic air contaminants pursuant to Food and Agricultural Code section 14023. This action also adds the following three pesticide chemicals to subsection (b) of section 6860 pursuant to Food and Agricultural Code section 14021: carbon disulfide-generating pesticides, 10 10' oxybisphenoxyarsine, and phosphine and phosphine-generating pesticides.
6. **Mosquitoes and West Nile Virus:** DPR, in cooperation with the Department of Health Services, offered to the general public a few simple tips to help minimize exposure to mosquitoes that may carry West Nile virus and other diseases. State health authorities are already preparing for West Nile virus in California this summer. Last year, more than 4,000 human cases were reported in 44 states as the virus moved westward (one case originated in California). While West Nile Virus causes flu-like symptoms in most cases, 284 fatalities were recorded in 2002. Most were elderly persons. The virus is spread when a mosquito first bites an infected bird, and then people. Several species of mosquitoes found in California are potential virus carriers. DPR offers tips and sources of more information to help people reduce their exposure to mosquitoes. For more tips on safe use of repellents, please visit www.cdpr.ca.gov/docs/factshts/repel2.pdf, DPR's fact sheet on "Using Insect Repellents Safely."

Priorities

1. **Methyl Bromide Regulations:** DPR will readopt regulations for methyl bromide field fumigation. The regulations will protect workers and other people from possible acute and seasonal exposures.
2. **Metam-Sodium Permit Guidance:** DPR will develop a set of restrictions on the use of metam-sodium. DPR will allow a 30-day comment period, which includes consultation with other agencies. DPR will recommend control measures that may be implemented as regulations, label amendments, or permit conditions.

3. **Risk Assessments:** DPR expects to complete three risk assessments (carbofuran, endosulfan, and mancozeb) under SB 950 (Chapter 669, Statutes of 1984) (Birth Defect Prevention Act).
4. **School IPM Program:** DPR will redesign the 2004 School IPM Survey and begin data collection. DPR will improve school IPM Web site accessibility with a “featured links” box, and improve the HELPR page interface by including direct links from product list page to existing product information. DPR will also organize four school IPM training workshops.

Advancing Pest Management Systems

(DPR Strategic Plan Goal 3; Cal/EPA Goals 7 and 8)

Promoting the adoption of reduced-risk pest management strategies is a key element of the Department’s mission and its pollution prevention efforts.

Accomplishments

1. **Reduced-Risk Pest Management Grants:** DPR completed 11 pest management grants and 8 pest management alliance grants. Due to the budget shortfall, DPR will not be able to issue grants for additional projects.
2. **New Pesticide Product Registrations:** In 2002 DPR registered 33 new pesticide active ingredients, the most registered by DPR in any year since 1997. New active ingredients included 14 formally designated as reduced-risk chemicals, also the most since 1997. (In 2001, there were 22 new registrations, nine of them reduced-risk.) Reduced-risk chemicals—designated by U.S. EPA—typically feature less toxicity, allow lower application rates, or possess other desirable qualities compared to traditional pesticides.
3. **Performance for Sustainability Vineyards and Wineries Work Group:** The work group is comprised of representatives from several Cal/EPA boards and departments, U.S. EPA Region 9, and the California Department of Food and Agriculture, with DPR as the lead. In the first six months of 2003, the work group developed its charter and convened three planning meetings for a larger wine sustainability partnership. The partnership will eventually include a wide range of stakeholders in the wine-producing community.

Priorities

1. **IPM Innovators:** In October, DPR will present annual IPM innovator awards to California leaders in pest management. DPR accepted applications through March 31 for 2003 IPM innovator awards. DPR publicly recognizes the good work done by integrated pest managers. Other details are available at www.cdpr.ca.gov/docs/ipminov/innovatr.htm.
2. **Reduced-Risk Pest Management Grants:** By December 31, 2003, DPR will complete three pest management alliance grants.

Ensuring Environmental Justice

Cal/EPA Goal 5; DPR Strategic Plan Goals 5 and 6

A strong enforcement program is the cornerstone of improving the pesticide regulatory program and ensuring equal treatment under the law. All of DPR's activities must enhance opportunities for people to have access to, and participate in, its processes.

Accomplishments

1. **Environmental Justice Implementation Plan:** DPR and the county agricultural commissioners (CAC) have adopted mission statements and goals that reflect their commitment to ensuring environmental justice. In early 2003, DPR developed and solicited comments on a formal implementation plan (see www.cdpr.ca.gov/docs/envjust/draftplan03-03.pdf).
2. **Evaluation of Farmworker Protection:** DPR released a report evaluating the notification and hazard communication requirements in Title 3, California Code of Regulations. Growers and farm labor contractors are required to inform their employees of pesticide applications that will occur on or near the work site. Growers and farm labor contractors must also make pesticide exposure information available to their employees. The report made a series of recommendations that are the basis of the Farmworker Right-to-Know Initiative. The report is located at www.cdpr.ca.gov/docs/whs/pdf/hs1833.pdf.
3. **Industry Compliance Evaluation/Improvement:** DPR's compliance work group has developed a program to reevaluate industry compliance levels in selected counties previously assessed. The program uses the existing overview inspection framework to determine how the implemented improvements are working and the effect the program changes had on industry compliance levels. The data from this oversight inspection program will be analyzed and compared to the results of the original compliance assessments for each county reevaluated. Data from the inspection forms will be entered into the county pesticide compliance and assessment database. This database can be used to set baseline levels for continuous program evaluations by DPR, as well as to assist CACs in developing negotiated work plans and setting local program priorities. A status report was sent to the Legislature in July 2003.
4. **Encouraging Compliance, Job Safety:** DPR prepared fact sheets for employers to provide information on requirements associated with field worker safety training, emergency medical care, personal protective gear, and other issues. The fact sheets may be viewed at www.cdpr.ca.gov/docs/enfcmpli/cmplist/bkltmenu.htm. Another set of pesticide safety leaflets to help employers comply with worker safety regulations may be downloaded from www.cdpr.ca.gov/docs/county/pestsfty/sftymenu.htm. DPR will provide leaflets to each CAC for distribution.
5. **Pesticide Safety Information Series:** DPR has revised the language in the documents to make them easier to read. The reading level was reduced from 12th grade to 4th or 5th grade. In

addition, a contract was entered into with a graphic designer to give the leaflets a new look. The documents should be available in both English and Spanish by December 2003.

Priorities

1. **Farmworker Right-to-Know Initiative:** DPR's "right-to-know" initiative seeks to prevent worker injuries by making pesticide information more readily available, and easily understood, and by reinforcing compliance measures in the field. DPR is considering requirements that would:
 - Clarify the responsibility of a pest control business to notify the property operator (typically a grower) before a pesticide application occurs. Property operators would also receive notification if changes are made in scheduled applications, and again when applications are completed.
 - Clarify that the property operator is responsible for notifying workers about pesticide use, including employees of a contractor. DPR found that the current system makes it difficult to determine who bears ultimate responsibility for notification, which may cause confusion among pesticide applicators, field crew leaders, and growers.
 - Require that workers at the application site receive verbal notification of recent pesticide treatments, as well as written information about recent treatments within one-quarter-mile of the site. Current rules allow posting of pesticide information at a "central location" that may be miles away, perhaps in another county.
 - Require field warning signs to carry the date when a reentry waiting period expires. Currently, the signs carry a date only if the waiting period exceeds seven days.
 - Expand and clarify the information given to some workers (such as irrigators) whose duties require them to enter a field before the reentry waiting period expires.

These proposals are based in part on DPR's Worker Health and Safety Branch studies HS-1819 and HS-1833, available at www.cdpr.ca.gov/docs/whs/whsrep.htm.

2. **Environmental Justice Implementation Plan:** DPR will participate in reviewing the final recommendations from Cal/EPA's Environmental Justice Advisory Committee. DPR will work with external stakeholders to revise its environmental justice implementation plan to incorporate the appropriate recommendations from the advisory committee. A copy of DPR's draft plan is available at www.cdpr.ca.gov/docs/envjust/drftplan03-03.pdf.

Continuously Improving Performance

Cal/EPA Goals 7 and 8; DPR Strategic Plan Goals 5 and 6

The strength of DPR's program comes from its staff. Long-term, stable funding will be imperative to fulfilling DPR's mandates. The proliferation of data and the maturing electronic information age have dramatically increased the opportunities to improve the Department's processes and provide greater access to data.

Accomplishments

1. **Continuing Education:** Processed and approved more than 1,000 courses for continuing education credit. All applications were processed within the 30-day time limit.
2. **Report on Pesticide Regulatory Program Funding:** In January, DPR issued a comprehensive report to the Legislature (Assembly Bill 780, Thomson) to address the following questions:
 - What are the ongoing funding needs that will allow the department to carry out its responsibilities under State statutes and regulations?
 - What is the appropriate mix of general funds and special funds, including the pesticide mill assessment, to support the department's activities?
 - What is the appropriate rate of mill assessment on pesticide products that are used primarily in agricultural production and the appropriate rate for all other pesticide products?
 - What are potential improvements in the efficiency of DPR's operations, including mechanisms to share pesticide registration workload with U.S. EPA?

The report was compiled with the input of stakeholders. The report provided the basis for a long-term, stable funding solution for DPR. A complete copy of the report is available at www.cdpr.ca.gov/docs/budgets/assemblybill780.htm.

3. **Surface Water Database:** DPR recently enhanced its surface water database to allow online access to chemical analyses of monitoring in 17 counties. The data come from a variety of government and nongovernment sources. See www.cdpr.ca.gov/docs/sw/sites.htm.
4. **U.S EPA Work Share Project:** As part of the cooperative workshare project with the Interregional Research Project No. 4 and U.S. EPA, during the first six months of 2003, DPR completed the residue reviews for bifenthrin, fenhexamid, and tebufenozide, as well as a dietary assessment for fenhexamid. Residue reviews were completed for tebufenozide on grapes and sweet potatoes; fenhexamid on apples, cherries, cucumbers (greenhouse), kiwis, lettuce (greenhouse), peaches, pears, peppers, plums, pomegranates, and tomatoes; and bifenthrin on almonds, cantaloupes, cucumbers, mint, peppers, pistachios, squash, and tomatoes. DPR reviewed toxicology, efficacy, and phytotoxicity data for the new active ingredient diallyl sulfides. U.S. EPA reviewed product chemistry and fish and wildlife data on the same ingredient. DPR is awaiting federal registration for the product.

5. **Registration Workshop:** On June 9–10, DPR's registration branch held a one-and-one-half-day workshop for agricultural and home/garden pesticide registrants to explain registration requirements. The session was held at Cal/EPA headquarters in Sacramento. Attendance was limited to 180. On a related note, DPR recently summarized efforts to enhance DPR's registration process. See www.cdpr.ca.gov/efficiency.pdf.
6. **California Pesticide Information Portal:** In early 2003, the California Pesticide Information Portal went online, giving visitors to DPR's Web site the ability to conduct customized searches of DPR's pesticide use information (www.calpip.cdpr.ca.gov/cfdocs/calpip/prod/main.cfm).
7. **Licensing and Certification Program:** During the summer and fall of 2002, staff improved the process of embossing license and certificate cards to make more efficient use of staff time and reduce errors. The program also developed examinations in cooperation with the University of California and with special software to improve examination integrity. In addition, staff developed a customized score sheet for each test taker to reduce staff time in administering examinations and to reduce errors. Staff participated in revising the license and certificate renewal timeline to smooth the renewal process, reduce stress, and improve efficiency of staff.

Priorities

1. **U.S. EPA Work Share Project:** DPR continues to partner with U.S. EPA in sharing data reviews on pesticide registration activities. DPR is working with U.S. EPA to finalize the fiscal year 2003 work plan by the start of the federal fiscal year beginning October 1, 2003. The potential chemicals are azoxystrobin, bifenthrin, fenhexamid, tebufenozide, and dimethomorph. DPR will do the residue reviews on all chemicals and dietary assessments on all products except bifenthrin. DPR will complete the residue review for dimethomorph in July 2003. Dietary assessments for tebufenozide and dimethomorph will also be completed in July 2003. DPR and U.S. EPA will share the work of reviewing three products containing the new active ingredient spiromesifen. DPR will provide toxicology data, residue chemistry, efficacy, endangered species, and worker exposure reviews. U.S. EPA will review other toxicology studies, product chemistry, environmental fate, and fish and wildlife data.
2. **Increased Enforcement Around Schools:** With the enactment of Assembly Bill 947 (Jackson, Chapter 457, Statutes of 2002), DPR will propose regulation changes that increase penalties for pesticide violations around schools and provide policy guidance to CACs for establishing specific requirements governing pesticide use in the vicinity of schools.

DEPARTMENT OF TOXIC SUBSTANCES CONTROL

ACCOMPLISHMENTS & PRIORITIES: January–June 2003

Department of Toxic Substances Control

The mission of the Department of Toxic Substances Control (DTSC) is to restore and protect the environment to ensure public health, environmental quality and economic vitality by regulating hazardous substances.

Overview

DTSC implements its strategic plan through three operational programs: site mitigation; hazardous waste management; and science, pollution prevention, and technology. The external affairs division communicates the work of these core programs to the public and other stakeholders. DTSC's strategic plan has six goals and 26 objectives that guide the programs in their assignments and pursuit of achievements.

DTSC's Strategic Goals

1. Protect public health and the environment from adverse effects of contaminated sites.
2. Minimize or eliminate adverse environmental and public health effects resulting from generation of hazardous waste.
3. Continuously improve application of science and technology.
4. Fully involve the public in the participatory process so that decisions consider the needs of all affected parties equally.
5. Provide employees with resources they need to perform their jobs.
6. Support employees with clear leadership and direction in an atmosphere that values diversity and ongoing communication.

Site Mitigation Program

Site mitigation refers to the process by which sites with hazardous waste or substances are identified and investigated, and cleanup remedies are implemented. The site mitigation program oversees the school division, brownfields reuse, recycled military facilities, State and federal superfund sites, emergency response, and clandestine drug lab cleanup.

Schools

DTSC's schools division works with districts to ensure that new school properties and expansion projects are environmentally safe for California's children.

Accomplishments

1. **School Investigation and Cleanups:** DTSC provided determinations on 23 environmental site assessments, 17 preliminary endangerment assessments, and entered into 52 environmental oversight agreements with school districts. DTSC certified the cleanup of seven sites and implemented 18 removal actions including:
 - Empire Elementary School (Brentwood Union School District): 22,000 cubic yards of soil, contaminated with toxaphene on a 13-acre site.
 - Clearlake Community School (Lake County Office of Education): 226 cubic yards of soil contaminated with naturally occurring metals on a 2.70-acre site.
 - 15th Street Elementary School Addition (Los Angeles Unified School District): 275 cubic yards of lead and cadmium-contaminated soil on the one-acre site.
 - Belmont New Primary Center No. 11 (Los Angeles Unified School District): 800 cubic yards of lead-contaminated soil on a 0.39-acre site.
 - Central New High School No. 2 (Los Angeles Unified School District): 1,500 cubic yards of soil contaminated with lead from the 12.50-acre site.
 - Dayton Heights Elementary School Playground Expansion (Los Angeles Unified School District): 110 cubic yards of lead-contaminated soil from this 0.50-acre site.
 - Jefferson Elementary School No. 1 (Los Angeles Unified School District): 600 cubic yards of total petroleum hydrocarbon-contaminated soil from the 12.50-acre site.
 - Noble New Elementary School No. 1 (Los Angeles Unified School District): 59 tons of chlordane-contaminated soil from this 4-acre site.
 - Orthopaedic Hospital Magnet High School (Los Angeles Unified School District): 216 cubic yards of lead and benzo (a) pyrene-contaminated soil from this 4.15-acre site.
 - South Gate Elementary School No. 7 (Los Angeles Unified School District): 635 tons of arsenic-contaminated soil on the 5.34-acre site.
 - Ann Sobrato High School (Morgan Hill Unified School District): 150 cubic yards of pesticides and metals-contaminated soil on a 1.5-acre portion of the site.
 - Bessie Carmichael Elementary School (San Francisco Unified School District): 8,000 cubic yards of soils contaminated with lead, polycyclic aromatic hydrocarbons (PAH) and polychlorinated biphenyls (PCBs) on the 1.4-acre site.
 - Lorin Griset New Elementary School No. 4 (Santa Ana Unified School District): 2,247 tons of arsenic-contaminated soil on the 9.2-acre site.

2. **Los Angeles Unified School District (LAUSD):** LAUSD submitted applications for review of 193 school sites. DTSC made determinations on 204 activities related to these school sites and identified 169 school sites as requiring further action.
3. **Organo-Chlorine Pesticide Study:** The school division has completed the evaluation of three prospective school sites where pesticides were found.
4. **Pilot Project to Assist Financially Disadvantaged School Districts:** Using funds available through the U.S. EPA, DTSC completed three preliminary endangerment assessments at school districts that were otherwise financially unable to evaluate these sites.
5. **Regulations on Preparation of Phase I Environmental Site Assessments:** Effective February 11, new regulations were adopted that streamline the assessment of sites with lead-based paint or PCB in soils from transformers.
6. **Environmental Guidance Documents and fact sheets posted on DTSC Web site:**
 - Advisory—Active Soil Gas Investigation.
 - PCB advisory for Schools—How Voluntary Lighting Retrofits Can Address—Hidden Dangers and Liabilities.
 - Advisory on Common Remedies for Methane in Subsurface Soils at School Sites.
 - Fact sheet on Federal Brownfields Grants Available to School Districts.
 - Fact sheet on Environmental Assessments for Charter School Sites.
7. **Master Oversight Agreements:**
 - Anaheim Union School District. DTSC entered into a master oversight agreement for six existing and proposed school sites.
 - San Diego City Unified School District. DTSC entered into a master oversight agreement for 16 existing and proposed school sites.

Priorities

1. **Belmont Learning Center** (Los Angeles Unified School District): Geotechnical investigations at the site confirmed that an earthquake fault lies under some of the existing structures. DTSC provided LAUSD with options for the property.
2. **Park Avenue Elementary School** (Los Angeles Unified School District): Excavation activities to remove up to 80,000 cubic yards of soils are expected to be completed by August 2003.

3. **Jefferson New Middle School** (Los Angeles Unified School District): DTSC continued oversight of the soil vapor extraction system, groundwater, and soils gas monitoring activities. A remedial investigation report is expected in this summer.
4. **Dover Elementary School** (West Contra Costa Unified School District): The school district is implementing a DTSC-approved work plan to investigate PCBs.
5. **Advisory on Naturally Occurring Asbestos (NOA)—Interim Monitoring and Remedies for School Sites**: DTSC is developing an advisory to assist school districts where school sites are found to have NOA.

Brownfields Reuse

Brownfields are typically urban properties abandoned due to real or perceived contamination from past use. DTSC has developed a number of new tools to facilitate reuse of brownfields properties in California by cleaning them so that they can be used for residential or commercial use and add to the community's economy.

1. **CLEAN Program Sites**: The Cleanup Loan and Environmental Assistance to Neighborhoods (CLEAN) program is funding investigation and cleanup activities at five brownfields redevelopment sites:
 - East Bay Habitat for Humanity (Oakland, Alameda County).
 - Marina Bay Development (Richmond, Contra Costa County).
 - Vacaville Redevelopment Agency (Solano County).
 - Butterfield Trails/Sun Chemical (Los Angeles County).
 - Angeles Chemical (Santa Fe Springs, Los Angeles County).
2. **Other Brownfield Sites**:
 - Schlage Lock (San Francisco, San Francisco County). DTSC anticipates approving the environmental investigation report by October 2003.
 - Former Whittaker Bermite Facility (Santa Clarita, Los Angeles County). Perchlorate contamination in the groundwater will be assessed and work will begin to clean up a major source of perchlorate contamination in the soil.

State Superfund Sites

DTSC uses State funds to clean up sites where responsible parties do not exist or do not have sufficient funds to pay for cleanup activities involving high-threat sites.

Accomplishments

1. **Midway Village/Bayshore Park** (Daly City, San Mateo County): Cleanup activities completed.
2. **Chemical and Pigment Company** (Bay Point, Contra Costa County): Site investigation underway.
 - Roberts Tire (Oakland, Alameda County). Site investigation underway.
 - Federated Fry Metals (South San Francisco, San Mateo County). Cleanup activities completed.

Priorities

1. **S.R. Kilby** (Rosamond, Kern County). A remedial design will be prepared, and if State orphan site funding is available, cleanup activities will begin.
2. **Gaines Property** (Oakland, Alameda County). DTSC will use State funds to complete the removal of lead-contaminated soil from this property.
3. **Lewis Street** (Oakland, Alameda County). DTSC will use State funds to prepare a plan to address the high levels of metals in the soil at this former junkyard site.

Federal Superfund Sites

Federal Superfund projects involve sites placed on the national priorities list by U.S. EPA, which oversees and directs investigation and cleanup activities at these sites. The State participates by providing 10 percent of the matching funds toward these efforts.

Accomplishments

1. **Montrose Chemical Company** (Torrance, Los Angeles County): Site investigation underway.
2. **Selma Electroplating** (Selma, Fresno County): Cleanup activities completed.

Priorities

1. **Stringfellow Superfund Site** (Glen Avon, Riverside County). DTSC will complete the installation of a perchlorate treatment system for groundwater underlying the community of Glen Avon.
2. **Casmalia Resources Facility** (Casmalia, Santa Barbara County). DTSC is working with the Attorney General's office to complete a settlement to address the State's concerns and costs associated with site cleanup.

Other Contaminated Sites: DTSC assists with the site investigation and cleanup activities, technical and regulatory oversight, and financial support at hundreds of properties throughout California that are contaminated with a wide range of pollutants.

Accomplishments

1. Pesticide-Contaminated Sites:

- Mangels Ranch (Suisun City/Fairfield, Solano County). Cleanup activities completed.
- University of California at Riverside (Riverside County). Cleanup activities completed.

2. Former Rail Yard Sites:

- Cornfields site (Los Angeles County). Cleanup activities completed.

3. Former PCB-Contaminated Sites:

- Fieldstone Property and Residential Area (Huntington Beach, Orange County). Site investigation underway.

4. Former Plating Shops:

- K&L Plating—89th Avenue (Oakland, Alameda County). Cleanup activities completed.

5. Naturally Occurring Asbestos Sites:

- Garden Valley Discovery (El Dorado County). Cleanup activities completed.

6. Former Landfill Sites

- Ascon Landfill (Huntington Beach, Orange County). Cleanup plan proposed.

7. Oil, Gas and Town Gas Sites:

- Alhambra Combined Facility (Alhambra, Los Angeles County). Cleanup activities underway.
- Santa Ana Manufactured Gas Plant (Santa Ana, Orange County). Cleanup activities underway.

8. Former Steel Mills:

- Kaiser Steel (Fontana, San Bernardino County). Cleanup activities completed.

9. Regional Groundwater Plume Sites:

- South Fresno Regional Groundwater Plume (Fresno County). Cleanup activities underway.

10. Tire Fire Sites

- Westley Tire Fire Site (Westley, Stanislaus County). Interim cleanup completed.

Emergency Response and Statewide Operations. DTSC has trained responders who provide immediate assistance during sudden or threatened releases of hazardous materials.

Accomplishments

1. **Perchlorate Contamination:** DTSC and the State Water Resources Control Board (SWRCB) established a joint database that identifies all sites statewide with confirmed perchlorate contamination.
2. **Clandestine Drug Lab Testing:** DTSC, the Office of Environmental Health Hazard Assessment and the Department of Justice evaluated immunoassays and other field testing for former clandestine drug labs.

Priorities

1. **Perchlorate Contamination:** DTSC and the State and Regional Water Quality Control Boards will prioritize categories of potential perchlorate sites for further investigation, including sites used for munitions, fireworks, and flares.
2. **Clandestine Drug Lab Remediation:** DTSC will develop procedures for local agencies to use in order to compel property owners or other responsible parties to remediate properties that were formerly used for the manufacture of illegal drugs.

Military Facilities

DTSC oversees the investigation and cleanup of contaminated California properties currently or formerly owned and operated by the various branches of the military within the federal Department of Defense. Many sites require the cleanup of hazardous substances compounded by the presence of unexploded ordnance. DTSC is a nationally recognized leader in addressing this problem.

Accomplishments

1. **Base Transfer and Cleanup:** DTSC has worked to complete early transfers to a number of parcels at military facilities and to oversee remedial cleanup activities at active, closed, and historic military facilities.
 - Air Force Plant 42 (Palmdale, Los Angeles County). Approximately 455 tons of burned rubber debris and contaminated soil were removed and transported to an off-site disposal facility.
 - Camp Pendleton Marine Corps Base (San Diego County). DTSC certified the removal of nearly 30,000 cubic yards of burned debris and contaminated soil.
 - Oakland Army Base (Alameda County). DTSC signed a memorandum of agreement with the U.S. Army as part of the assurances needed to allow the early transfer of 380 acres from the U.S. Army to the city and Port of Oakland.

- Travis Air Force Base (Fairfield, Solano County). DTSC and U.S.EPA signed a record of decision with the U.S. Air Force, which includes restricting future land use on the base through a land use covenant.
 - Mare Island Naval Shipyard (Vallejo, Solano County). DTSC signed a land use covenant, as the final remedy for low levels of PCBs remaining at nine locations at the site.
2. **Unexploded Ordnance:** DTSC continues to contribute to developing and implementing methods to clean up unexploded ordnance.
- Camp Ibis (Needles, San Bernardino County). DTSC approved a cleanup plan for the World War II-era desert combat training facility.
 - Fort Ord (Seaside, Monterey County). DTSC, the Air Resources Board and the Army reached agreement on the “burn day” dispute related to the proposed controlled burn of vegetation for subsequent removal of highly unstable ordnance and explosives at former ranges near redeveloped areas.
 - Sierra Army Depot Honey Lake (Susanville, Sierra County). DTSC approved the cleanup plan and environmental review documents for the former Honey Lake demolition area on the dry portion of the lake bed. The plan provides alternatives for treatment of ordnance and explosives.

Priorities

1. **Military Facility Remediation Oversight:** DTSC will continue overseeing remedial cleanup actions at active and closed military installations and formerly used defense sites.
2. **Base Transfer:** DTSC continues to work with the military to transfer property at closed installations to local communities for redevelopment. DTSC will work with the military, redevelopment agencies and prospective landowners to secure assurances that the property will be cleaned.

Hazardous Waste Management Program

The hazardous waste management program ensures that State and federal requirements for managing hazardous wastes by generators, transporters, facilities, and landfills are satisfied. The program conducts enforcement, correction action rulemaking, and permitting through the permitting division, statewide compliance division, and the State regulatory program division.

Statewide Compliance Division

DTSC works to ensure that hazardous waste generators, transporters, and hazardous waste management facilities meet State and federal requirements through its enforcement efforts.

Accomplishments

1. **Backlog Reductions:** DTSC has resolved 70 out of 73 backlogged enforcement cases since January 1, 1999. The remaining three will be resolved by December 2003.
2. **California/Mexico Border:** DTSC's border program offered hazardous waste and pollution prevention training in Baja California. The border unit also conducted random truck stops at the Otay Mesa and Calexico Ports of Entry to monitor the import and export of hazardous wastes, resulting in several enforcement actions.
3. **Cenco Refinery Oil Company/Powerine Oil Company:** In 1997, Cenco stored hazardous waste (refinery waste) without a permit from DTSC. As part of the settlement reached in 2002, Cenco/Powerine will pay a \$900,000 penalty, reimburse DTSC's costs of \$100,000 and remove all wastes stored without a permit.
4. **Valero Refinery:** In March 2002, Valero failed to characterize a waste as hazardous. Valero and DTSC agreed to settle the case for \$116,000, and Valero will contribute \$19,000 to the California District Attorney's Association to support the prosecution of environmental crimes.

Priorities

1. **New Efforts to Minimize New Backlog of Enforcement Cases:** DTSC is taking steps to minimize any new backlog of enforcement cases by referring larger cases to the Attorney General's Office. DTSC is amending its enforcement response policy to encourage settlement of cases within 180 days following the discovery of the violation. The reference to 180 days is consistent with the new U.S. EPA enforcement response policy, which will be adopted in the next few months.
2. **Manifest Discrepancies Regulations:** Pursuant to the requirements of SB 489 (Romero, 2002), DTSC expects to adopt these emergency regulations on July 1 to be approved by the Office of Administrative Law on July 11, 2003. Any transporter or facility handling a hazardous waste of concern must report missing hazardous wastes of concern and manifest discrepancies by telephone to DTSC within one day. Transporters must submit a written report within five days of occurrence and submit a disclosure statement and fingerprints for a criminal background check unless exempted.
3. **Overloaded Dump Trucks:** DTSC is proceeding with the final rulemaking package to become effective on or before the expiration date of the emergency regulations in September. This regulation will establish minimum protective requirements for the bulk transfer operations.
4. **Partnerships for Mercury Pollution Prevention Project:** DTSC, Physicians for Social Responsibility-Los Angeles (PSR-LA), and community health clinics collaborated for a Mercury-reduction project to publicize a campaign for mercury thermometer exchanges.

Regulatory Division

DTSC promulgates a variety of regulations to define hazardous waste identification and management standards in response to statutory mandates and to refine the scope of its current regulations.

Accomplishments

1. **Mercury Waste Classification and Management Regulations:** Effective March 15, these regulations created a listing of four mercury-added product categories that become hazardous wastes when discarded. The listings include mercury-containing light switches found in motor vehicle hoods and trunks, appliances, lamps, and novelty items such as jewelry and toys.
2. **Electronic Hazardous Waste Regulations:** Effective February 3, these regulations provide universal waste management standards for waste cathode ray tube (CRT) materials and consumer electronic devices (CED) that ensure their proper management and encourage recycling.
3. **Schools Hazardous Waste Collection, Consolidation, and Accumulative Lab Pack Regulations:** The proposed regulations would allow science laboratory waste lab packs to be reopened and repackaged as necessary at a school's hazardous waste collection, consolidation, and accumulation facility.
4. **Recyclable Hazardous Waste Regulations:** These regulations specify a list of hazardous wastes that DTSC finds feasible to recycle. The regulations impose a disposal fee of five times the applicable disposal fee rate on generators who dispose of this waste rather than recycle it after they have received notification from DTSC.
5. **Lead Report:** Workshops will be conducted in August 2003 to present a draft report which will examine the environmental health effects of lead and re-evaluate various modeling options that may be used to change the existing hazardous waste regulatory thresholds for lead in waste materials.
6. **Mercury Reduction Act Implementation:** DTSC has been working with auto dismantlers, auto repair shops, local agencies and the CUPAs to remove and properly manage mercury-containing switches in vehicles and major appliances. DTSC encourages recycling these switches and replacing them with non-mercury containing switches. DTSC will report to the Legislature on the successes of these efforts by January 1, 2004.
7. **The Los Angeles Jewelry Mart** (Downtown Los Angeles, Los Angeles County): The California Compliance School began offering training to jewelry manufacturing owners, operators, and workers on jewelry manufacturing processes, waste streams, pollution prevention strategies, and hazardous waste management requirements.

Priorities

1. **Response Action Regulations:** DTSC plans to adopt final regulations establishing a single process for site cleanups conducted by DTSC and the CUPAs and anticipates sending the regulation package to OAL for public notice in August 2003.
2. **Treatment of Aqueous Waste Cyanide:** The State regulatory program division will draft proposed regulations which would add a new waste stream, limiting the concentration of treatable cyanide.

Permitting Division

DTSC ensures hazardous waste is properly managed by regulating facilities that treat, store, or dispose of hazardous wastes through the permitting and corrective action process. The permitting division develops regulations, guidance, and training; maintains a database of all hazardous waste facilities; and provides geologic support services to the hazardous waste management program. DTSC has issued permits to more than 130 commercial facilities and regulates an additional 5,000 businesses that conduct lower-risk treatment activities using a streamlined tiered permitting process.

Accomplishments

1. **Permit Actions:**
 - Final permits: General Atomics (San Diego County).
 - Draft permits: Safety Kleen San Jose (Santa Clara County).
 - Closure verifications: Ashbury Environmental (Napa County).
2. **Regulations:**
 - Permit Modification Applicability, Classification and Appeal Procedures, and Appeal Procedures for Permit. These regulations streamline the permit modification process for hazardous waste facility activities not regulated under the Resource Conservation and Recovery Act (RCRA).
 - RCRA authorization. To maintain RCRA authorization, DTSC proposed several rulemaking files.
 - Scrap metal regulations. To achieve consistency with federal requirements, these regulations clarify the circumstances under which scrap metal is exempt from regulation.

Priorities

1. **Proposed Adoption of Regulations Pursuant to U.S. EPA's Military Munitions Rule:** DTSC is promulgating regulations that generally parallel the federal military munitions regulations, but include areas of greater specificity.

2. **Waste Code Revision Regulations:** DTSC will continue to promulgate regulations to amend its waste code system by basing the waste codes on criteria used to identify them as hazardous. Upon completion of internal review, the proposed regulations will be made available for public comment.
3. **Permit Actions:**
 - Final Permit Determinations: Lawrence Livermore National Laboratory (Alameda County).
 - Draft Permit Determinations: Evergreen Oil Inc. (Alameda County).
4. **Closure Verification:**
 - Safety Kleen Systems, Inc. (Alameda County).
 - Safety Kleen Systems, Inc. (Stanislaus County).

Science, Pollution Prevention, and Technology Program

The science, pollution prevention and technology program consolidates scientific and technological activities and supports environmental improvements through pollution prevention and the assessment of innovative environmental technologies.

Environmental Science

DTSC assesses the risks to the public and the environment from exposure to hazardous substances. Staff scientists conduct chemical analysis, support regulatory programs, develop analytical methods, and conduct studies related to environmental fate and transport of chemicals.

Accomplishments

1. **Electronic Waste (E-Waste):** The Hazardous Materials Lab continued the analysis of lead, copper, and other elements in selected discarded electronic products to determine if they are to be characterized as consumer electronic devices.
2. **Chemical Terrorism:** Staff participated with the Office of Emergency Services, other State agencies, and the Lawrence Livermore National Laboratory in planning strategies and the latest technology for monitoring chemical and biological agents.
3. **Reactive Hazardous Waste:** DTSC completed a compilation of guidance and test methods for reactive hazardous waste, including cyanide- and sulfide-containing wastes that may generate toxic or lethal amounts of hydrogen cyanide or hydrogen sulfide.

4. **Persistent Organics in Animals:**

- DTSC developed methods for the analysis of eggs from three species of shorebirds from the San Francisco Bay and completed the analysis of 70 shorebird eggs collected for levels of PCBs, PBDEs, and PCDDs/PCDFs for a total of 7,140 analyses.
- DTSC developed methods for the analysis of PBDEs and PCBs in five species of fresh fish, as well as six-year old archived samples of fish from the San Francisco Bay. DTSC completed the analyses of 27 fish samples, for a total of 2,160 analyses.

5. **Body Burdens in Humans:** DTSC measured PBDE levels in breast milk from first-time mothers to determine the sources and pathways of PBDE exposures.

Priorities

1. **Chemical Terrorism:** DTSC will complete an emergency plan that will include the department's laboratory preparation and response to chemical terrorism.
2. **Dioxins in Agricultural Soils:** DTSC will complete the analysis of dioxins in agricultural soils to assess the impact of fertilizers and soil amendments.
3. **Field Portable Gas Chromatography-Mass Spectrometry:** DTSC will complete a validation report for this equipment that has application in emergency response, including chemical terrorism response.
4. **Data Quality Review:** Staff will provide training on the review of laboratory reports, including laboratory uncertainty and potential quality problems.

Pollution Prevention

The pollution prevention program addresses hazardous waste source reduction through education, statewide leadership, demonstration projects, and evaluations.

Accomplishments

1. **Mercury Reduction:**

- Implementation of the California Mercury Reduction Act. DTSC provided information and technical support to automobile dismantlers, auto repair shops, and the public. Education outreach focused on the replacement of mercury switches in vehicles with non-mercury-containing switches.
- Voluntary Hospital Mercury Reduction Project. DTSC and the Department of Health Services issued a joint challenge to California hospitals, calling for the elimination of mercury. The project has commitments from 48 hospitals to virtually eliminate mercury.

2. **Vehicle Service and Repair Project:** DTSC provides training to local government and facility operators with emphasis placed on solidifying corporate partnerships. DTSC implemented a “model shop” recognition program, recognizing five dealership and corporate programs, including NAPA Auto Parts and AAA of Northern California.

Priorities

1. **Source Reduction Planning Act:** DTSC is pursuing an outreach effort to the regulated industry and stakeholders involved with source reduction planning. Guidance materials were mailed to nearly 6,000 recipients. Some 3,000 electronic notifications were sent to California Registered Environmental Assessors, local pollution prevention organizations, and consultants.

Technology Development

DTSC’s technology development program evaluates new technologies to treat, recycle, clean up, and reduce or eliminate hazardous waste at its source through demonstration projects, data analysis, life cycle assessments, and technology programs.

Accomplishments

1. **Jewelry Mart:** Staff prepared a sampling plan to determine the hazardous characteristics, amounts, and ultimate disposition of various waste streams generated by jewelry manufacturers in the Los Angeles Jewelry Mart.
2. **In-Situ Bioremediation Technology:** DTSC distributed a draft summary table, presenting an inventory of site cleanup projects using in-situ bioremediation to treat chlorinated solvent or perchlorate contamination plumes.
3. **Life Cycle Assessments:** Staff completed a life-cycle assessment of the human health and environmental tradeoffs of re-refining waste oil into base oil for reuse, distilling waste oil into marine diesel oil fuel, and marketing waste oil as untreated fuel oil. Staff also started participation in a life-cycle impact and economic study for the California Integrated Waste Management Board that includes reviewing emerging technologies to convert organic wastes to useable energy and products.

Priorities

1. **Drum-Top Fluorescent Lamp Crushers:** Through its partnership with U.S. EPA, staff will make recommendations for use of small on-site drum-top crushers.
2. **Clearwater Systems:** By December, DTSC will develop a field test plan for a comprehensive evaluation of the Clearwater Dolphin System for treatment of cooling tower water. The technology is a non-chemical water treatment system designed to replace the use of toxic biocides.

Office of External Affairs

External affairs specializes in focused communication with DTSC's external stakeholders, overseeing public participation, public information, education and outreach, environmental justice, mentoring, and Web site coordination. Scientific and technical ideas, concepts, and language are translated into "Plain English" for greater ease of understanding.

Public Participation

DTSC's public participation program is nationally recognized as the most proactive program of its type for involving citizens in the department's decision-making process. The program engages citizens impacted by contaminated property and empowers them with a meaningful voice in the process. Public participation specialists are skilled in interpersonal and group communication and are adept at facilitating two-way information to educate members of the public and gain their insights, which contribute to the decision-making process.

Accomplishments

1. **Community Meetings:** Public participation specialists provided California communities with multiple opportunities to participate in DTSC's decision-making process by facilitating 17 community meetings, 12 public hearings, 9 smaller meetings and 22 restoration advisory board (RAB) meetings. Staff produced and distributed 54 fact sheets and 28 public notices, translating approximately 30 percent of the documents into other languages including Spanish, Chinese, Vietnamese, Hmong, and Armenian.
2. **Training for Permitting Division Staff:** A training was conducted by public participation specialists for Permitting Division staff members to better understand and communicate with the public. The training outlined the public involvement requirements within State and federal regulations and DTSC policy.
3. **Revised Community Survey Methods:** To ensure that removal actions at schools are completed in a timely basis, staff revised community survey methods to better determine the public outreach steps required to inform and involve the surrounding community. This methodology is designed to quickly identify low or non-existent community interest, allowing DTSC staff to focus its communication efforts on higher interests, issues and sites. This will save the department and school districts from expending unnecessary funds.

Priorities

1. **Public Outreach Training:** Public participation specialists plan to provide appropriate training to staff in the permitting and site mitigation programs to improve the department's public outreach efforts.

2. **Public Outreach Surveys:** Staff will expand and apply new methods of providing public outreach to communities by utilizing the community survey tools recently created to assess interest in school projects.

Education and Outreach

The education and outreach program is responsible for DTSC's environmental justice program and oversees the content management for DTSC's Web site. Additionally, the office manages the mentor program, environmental education outreach, organizes special events and conferences, and develops internal and external documents and publications.

Accomplishments

1. **Environmental Education Web Page:** Staff developed text and links for the environmental education Web page. Information includes activities for students, teachers and adults. Links are provided to Cal/EPA's Education Page, Cal/EPA's Education Interagency Network, California Regional Environmental Education Council and the State Department of Education, Environmental Education program.
2. **DTSC Mentor Program Evaluation:** Staff developed an evaluation tool for mentor volunteers. The results will be incorporated into the recruitment process for the upcoming school year.
3. **Earth Day 2003:** By December, the education and outreach program will implement an assessment process and a regional approach to establish and maintain communication tools with communities impacted by DTSC's decisions.

Priorities

1. **Environmental Justice:** By December 2003, the education and outreach program will implement an assessment process and a regional approach to establish and maintain communication tools with communities impacted by DTSC's decisions.
2. **Web Site:** By December 2003, the education and outreach program will update the DTSC Web site by simplifying the language and developing a survey to gather information on the needs of DTSC's stakeholders.
3. **Mentoring Program:** By September 2003, the education and outreach program will complete its recruitment, training, and placement of DTSC staff mentors in elementary, middle, and high schools from the Sacramento, Berkeley, Fresno, Glendale, Cypress, and San Diego field offices.
4. **Environmental Education and Outreach:** By December 2003, staff will develop environmental education activity books and a video that targets children in after-school programs and produce a publications package that includes two new DTSC brochures, a new fact sheet format, and a DTSC overview video.

Office of the Assistant Director

The Office of the Assistant Director oversees the Registered Environmental Assessor program.

Registered Environmental Assessor Program (REA)

The REA program registers environmental compliance experts on a voluntary basis, is self-funded through registration fees, and connects businesses with assessors who have expertise to assist them with environmental regulation compliance.

Accomplishments

1. **REA Program Transfer:** The Office of the Assistant Director successfully transferred the entire REA program from the Office of Environmental Health Hazard Assessment.
2. **Performance Standards:** DTSC established a set of performance standards for REAs.

Priorities

1. **Enhanced Performance Standards:** DTSC will work with internal and external stakeholders to develop specific and enforceable performance standards for REAs.
2. **Outreach Strategy:** DTSC will develop an outreach strategy for REAs to communicate their benefits for small site cleanups, including those involving school sites and brownfields reuse.

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

ACCOMPLISHMENTS & PRIORITIES: January–June 2003

California Integrated Waste Management Board

The mission of the California Integrated Waste Management Board (CIWMB) is to reduce waste, promote the management of all materials to their highest and best use, and protect public health and safety and the environment, in partnership with all Californians.

The CIWMB developed the following strategic goals within the context of Cal/EPA's Strategic Vision. The board supports and actively seeks to implement the goals and objectives included in the vision.

CIWMB Goal 1: Promote environmentally sound and financially viable waste prevention and materials management practices among all actors in the life cycle of products and services. The intent of this goal is to promote waste prevention, product stewardship, and resource conservation practices. It supports the following objectives in Cal/EPA's Strategic Vision goals 6 and 8: creating a plan for a sustainable California, encouraging personal and corporate responsibility through increased education and outreach, promoting the implementation of environmental management systems, and developing and using meaningful environmental performance indicators.

CIWMB Goal 2: Assist in the creation and expansion of sustainable markets to support diversion efforts and ensure that diverted materials return to the economic mainstream. This goal is directly tied to Cal/EPA's vision of preventing pollution and developing a sustainable California by returning valuable materials into the economic mainstream rather than wasting them in landfills. CIWMB efforts in this area support the objectives under Cal/EPA goals 1–3 and 5–8 as follows: promoting a green California State government; promoting commercialization and use of effective practices, products, and technologies that benefit the environment; tackling cross-media air, water, and energy issues; and encouraging personal and corporate responsibility.

CIWMB Goal 3: Educate the public to better understand and participate in resource conservation and integrated waste management strategies. CIWMB activities under this goal support goal 8 of the Cal/EPA Strategic Vision by focusing on expanding accessibility of information to the public through the Internet and expanding communication and training efforts.

CIWMB Goal 4: Manage and mitigate the impacts of solid waste on public health and safety and the environment and promote integrated and consistent permitting, inspection, and enforcement efforts. This goal supports Cal/EPA goals 4–5 and 7–8 by ensuring compliance with the law; defining and building the CIWMB's approach to integrated permitting, inspection, and enforcement; expanding components for education, outreach, and assistance; increasing efforts to prevent or clean up pollution from inactive, illegal, or abandoned sites; building a higher level of technology and science-based decisions; and working to ensure that communities are free from unacceptable human health and ecological risks.

CIWMB Goal 5: Improve the efficiency and effectiveness of the California Integrated Waste Management Board in pursuit of its mission. This goal supports Cal/EPA's Strategic Vision through goal 8 by focusing on leadership, innovative information management, and organizational management, as well as cross-media and cross-organizational communication and collaboration.

CIWMB Goal 6: Continuously integrate environmental justice concerns into all of the board's programs and activities, including administrative and budgetary decisions. CIWMB activities in this area support Cal/EPA's goal 6 through participation in Cal/EPA's environmental justice internal advisory group and the staff-level working group. The board is also assessing its programs and activities to devise a strategy to address environmental justice issues, and to incorporate input from all affected stakeholders, communities, and interested parties.

CIWMB Goal 7: Promote a "zero-waste California" where the public, industry, and government strive to reduce, reuse, or recycle all municipal solid waste materials back into nature or the marketplace in a manner that protects human health and the environment and honors the principles of California's Integrated Waste Management Act. This goal supports Cal/EPA goals 4–8, including promoting the development, commercialization, and use of effective environmental techniques and technologies; ensuring that environmental impacts for all media are considered in environmental policy and management decisions; creating a plan for a sustainable California; and expanding and improving cross-media communication and collaboration.

Energy

In light of California's ever-demanding energy situation, the CIWMB has targeted conversion technologies as a mechanism that not only will reduce the overall volume of unused organic materials sent to local landfills, but also provide a new source of fuel for increasing energy production in California. This increase in energy production and the development of other emerging technologies and landfill-to-gas generation will aid in California's energy diversification goals.

Cal/EPA Goal 6: Ensure the efficient use of natural resources.

Cal/EPA Goal 7: Continuous improvement and application of science and technology.

Cal/EPA Goal 8: An efficient and effective Cal/EPA in pursuit of its mission.

Priorities

1. **Conversion Technologies:** Conversion technologies are controlled non-combustion processes that alter organic materials into reusable and beneficial products, such as energy, alternative fuels, and chemicals. Following enrollment of AB 2770 (Matthews, Chapter 740, Statutes of 2002), CIWMB staff began planning a set of interrelated activities to meet the requirements of this bill. This includes development of the following request for proposals and interagency agreements that the board will consider:

- Request for proposals for analyses of life cycle environmental impacts and market impacts of developing conversion technologies in California.
- Interagency agreement with UC Riverside and UC Davis campuses, for technical descriptions and evaluation of different conversion technologies.
- Interagency agreement for required peer review with the Office of Research in the University of California Office of the President.
- Interagency agreement with the Office of Environmental Health Hazard Assessment (OEHHHA) for initial risk assessment on emissions data.
- Interagency agreement with Air Resources Board for review of market impact methodology. In addition, California Integrated Waste Management Act will hold informal public workshops on permitting of conversion technologies.

Cross-Media Initiatives

Historically, federal, State and local environmental agencies have been organized on the basis of a single environmental medium—such as air, water, and land. By fostering cross-media coordination, we can pioneer innovative solutions and reap long-term benefits for the environment. By partnering with local government, private businesses, and product manufacturers, we can further promote and exercise product stewardship, address environmental justice, minimize pollution and waste generation, and safely manage unavoidable discards.

Cal/EPA Goal 2: Rivers, lakes, estuaries and marine waters that are fishable, swimmable, support healthy ecosystems and other beneficial uses.

Cal/EPA Goal 3: Groundwater that is safe for drinking and other beneficial uses.

Cal/EPA Goal 5: Reduce or eliminate the disproportionate impacts of pollution on low-income and minority populations.

Cal/EPA Goals 7 and 8

Accomplishments

1. **E-Waste and Product Stewardship:** The CIWMB continued to represent State and local interests in negotiations coordinated by the National Electronic Product Stewardship Initiative (NEPSI) for a system to finance the economically and environmentally sound end-of-life management of electronic products.

The CIWMB conducted a major expansion and update to its Electronic Product Management Directory, with special emphasis on documenting services provided by local governments. The CIWMB also finalized and began promoting the “Guidelines for the Procurement, Use and End-

of-Life Management of Electronic Equipment,” which are intended to provide State agencies with information to minimize the environmental impact of electronic products. Training on the guidelines was held at the Government Technology Conference (GTC) in May for representatives of Northern California State offices, and in Long Beach in June for Southern California.

2. **Nonpoint-Source Pollution and Stormwater Activities**

- CIWMB staff continued to participate in numerous meetings, workshops, and trainings to increase coordination between government agencies to reduce nonpoint-source pollution. Participating agencies included the Urban Pesticide Committee, Arcade Creek Watershed Committee, Water-Wise Pest Control Program, Sacramento River Watershed Program, Sacramento County Master Gardeners, Regional Water Authority, Department of Water Resources, and the Interagency Coordinating Committee of the State Water Resources Control Board (SWRCB).
- CIWMB provided the SWRCB with a detailed summary of its activities related to reducing nonpoint source pollution. The summary will be included in the publication *California Non-Point Source Program Five-Year Implementation Plan July 2003 Through June 2008*.
- CIWMB program staff is managing three grants that involve an independent third-party technology evaluation of storm drain inlet filter devices for reducing the amount of used oil entering watersheds. Storm drain filters to be tested are representative of the current storm drain inlet filter market. The evaluations will provide unbiased creditable test results allowing local jurisdictions to make informed purchasing decisions for stormwater mitigation purposes.
- CIWMB staff is continuing to research alternative methods to remove oil deposits from surfaces that are significant contributors to stormwater contamination, such as commercial and industrial parking lots. Potential alternatives include the use of microbes that digest oil that has been leaked onto parking lot surfaces.
- CIWMB staff participated in California Stormwater Quality Association municipal workshops on Stormwater Best Management Practices to increase coordination between government agencies to reduce nonpoint source pollution. Participating agencies included the SWRCB, Department of Water Resources, Department of Transportation, and other city and county agencies.

3. **Environmental Justice:** CIWMB grant agreements now require grantees to comply with environmental justice principles. In addition, the CIWMB approved a contract to develop an environmental justice guidance document for local government used oil and household hazardous waste programs. This contract is designed to identify service gaps to minority communities and provide a tool kit to enhance local government program delivery.

4. **Landfill Study:** The CIWMB's contractor, GeoSyntec Consultants, completed Task 2 of the study. This comprehensive, cross-media inventory of more than 224 municipal solid waste (MSW) landfills was posted on the CIWMB's Web site on April 9. The contractor has completed a statistical analysis of the Task 2 inventory to evaluate whether correlations can be drawn between various data categories and landfill environmental performance and has completed a draft report on the results (Task 3). The contractor has also identified 50 landfills from the Task 2 inventory that will be used for the Task 4 assessment of current regulatory effectiveness. The list of 40 landfills was posted on the CIWMB's Web site on June 4, 2003.
5. **Landscape Management Outreach Programs**
 - CIWMB staff continued to work with City of Sacramento staff to implement activities required for meeting the pollution prevention objectives of the North Natomas Landscape Management Outreach Program, which is funded by a U.S. EPA grant. Major accomplishments include: completing the North Natomas Landscape Plant Guidelines, which will be used in all newly planted landscapes in North Natomas; promoting the use of resource-efficient landscape management practices at several local landscaper educational events; awarding a contract to implement a baseline survey of area residents to evaluate the effectiveness of the "Focus on Natomas" homeowner outreach campaign; and displaying and distributing educational materials at several community centers and homeowner association meetings in North Natomas.
 - CIWMB staff worked with the Department of General Services, Waste Management Inc., and the Department of Water Resources to implement a water-wise gardening demonstration project in Capitol Park. Drip irrigation, water-efficient plants, and mulch were installed in several shrub beds in the park along 10th Street to help conserve water, reduce runoff, and minimize pesticide usage.
 - CIWMB staff participated in numerous meetings with the Ecological Farming Association, local landscapers, and public agencies to organize a sustainable landscaping seminar that will be held in Sacramento on January 10, 2004. The seminar will provide information to designers, architects, landscape maintenance contractors, park managers, nurserymen, and pest control professionals on how to design, install, and maintain landscaping in a way that minimizes environmental impacts.
6. **Driving Green Task Force:** CIWMB continues to participate in the State and Consumer Affairs Agency Driving Green Task Force. Staff has worked with DTSC to expand the department's training program for auto repair shops. The board awarded contracts to provide fleet manager training to promote re-refined oil and a demonstration project to promote the use of high efficiency oil filters.
7. **Universal Wastes:** CIWMB and DTSC initiated a new project to address universal wastes (U-waste) other than cathode ray tubes (CRT). Goals include minimizing generation and developing

a sufficient collection and recycling infrastructure for wastes generated prior to the February 2006 sunset of current exemptions for landfill disposal. An action plan and outreach efforts/needs were identified by the working group in spring 2003. The future of this project is currently under discussion due to staffing constraints; however, CIWMB staff continues to work with DTSC staff on specific U-waste activities.

8. **Environmentally Preferable Purchasing:** The CIWMB is taking a leadership role in implementing AB 498 (Chan, Chapter 575, Statutes of 2002), intended to ensure the procurement of goods and services that have a reduced effect on human health and the environment. The implementation of this legislation is expected to increase the emphasis on environmentally preferable purchasing (EPP) within State government. The Department of General Services and the CIWMB signed an Environmentally Preferable Purchasing Program Charter in April 2003. This charter, which formalizes an EPP task force that is leading the implementation effort, is open to other agencies to sign. In addition to the CIWMB, other departments that have attended EPP task force meetings include ARB, DTSC, DPR, and SWRCB. The CIWMB also entered into an interagency agreement with California State University, Sacramento to develop a green lodging program for State employee travel.

Priorities

1. **E-Waste and Product Stewardship:** The CIWMB will continue to represent State and local interests in negotiations coordinated by NEPSI for a system to finance the economically and environmentally sound end-of-life management of electronic products. The CIWMB will also continue promoting, through appropriate training venues, the “Guidelines for the Procurement, Use and End-of-Life Management of Electronic Equipment,” to provide State and local agencies with information to minimize the environmental impact of electronic products. Planned presentations include the Western Regional Pollution Prevention Network’s conference in October 2003, and regular appearances at the State Agency Buy Recycled Campaign’s quarterly meetings with State government procurement officials. The CIWMB, in partnership with DTSC and Cal/EPA, will continue working with Senator Byron Sher and stakeholders on SB 20 regarding electronic waste. Meetings are occurring with industry, local government, environmental and nonprofit group representatives to find a workable solution to this emerging issue.
2. **Nonpoint-Source Pollution**
 - Staff will continue to work with the Urban Pesticide Committee, Arcade Creek Watershed Committee, Water-Wise Pest Control Program, the Sacramento River Watershed Program, the Interagency Coordinating Committee of SWRCB, Department of Water Resources, City of Sacramento, California Urban Water Conservation Council, Regional Water Authority, Sacramento Urban Creeks Council, Sacramento County Master Gardeners, and other organizations to educate the public on proper landscape practices to reduce nonpoint-source pollution.

- As part of its external funding partnership program, CIWMB staff continues to seek out funding for two partnership projects in the areas of erosion control/water quality. Section 319 Clean Water Act funds have been targeted for funding for these projects and staff is waiting for a decision by the SWRCB on an application submitted for the Napa project. The Nevada County project proposes to look at reforestation of hydraulically mined areas using composts made from locally derived biosolids and green waste.
- 3. **Environmental Justice Study:** The board contracted with the University of California, Santa Cruz, in 2002 to conduct a study on how to increase public participation and community outreach in the board's processes. As part of this study, which will be conducted between January 2003 and May 2004, the contractor will identify key community-based groups and obtain input on how to effectively increase communication with those groups. The community-based organizations will make presentations to the board during late 2003 and early 2004 on environmental priorities and concerns related to board decisions, programs, and activities. The study will also provide a summary and analysis of best practices on effective outreach, community relations, and communication strategies used by federal, State, and local governments relative to public participation and environmental justice issues.
- 4. **Service Gap Study:** A final report on the contract that will identify service gaps in the used oil and household hazardous waste areas will be completed in January 2005. A survey of local government environmental justice practices will occur in late summer 2003. Demographic characterization of service areas of used oil collection centers, recycle only drop-off centers, and permanent HHW collection facilities is underway. Mapping of State service areas will augment information on the Web-based Profiles database.
- 5. **Landfill Study:** The CIWMB's contractor continues to work on the landfill study. Upcoming work includes finishing the Task 3 report, which is an assessment of environmental performance based on a statistical assessment of the Task 2 comprehensive, cross-media inventory of MSW landfills; completing the assessment of current State regulatory effectiveness in protecting the environment for the short- and long-terms by gathering detailed data on more than 50 MSW landfills (Task 4); analyzing the detailed data to assess regulatory effectiveness over time (Task 5); completing the Task 6 evaluation of MSW regulations of other states and countries for possible improvements to California's regulations; and completing the Task 7 analysis of emerging technologies that could possibly improve California's regulatory program.
- 6. **Landscape Management Outreach Programs**
 - Staff will continue to work with City of Sacramento staff on the North Natomas landscape management program to obtain approval from the city planning commission to implement the use of the landscape plant guidelines on all newly planted North Natomas landscapes. A baseline survey of area residents will be implemented to evaluate the effectiveness of the "Focus on Natomas" homeowner outreach campaign. CIWMB staff will make several

presentations to North Natomas residents in Natomas Park, Westlake, Natomas Crossing, and other neighborhoods to promote landscape practices that reduce green waste, conserve water, and minimize nonpoint source pollution. CIWMB staff will also work with Home Depot in North Natomas to display educational materials in the store.

- CIWMB staff will work with the Department of General Services to implement a demonstration project to study the use of Integrated Pest Management techniques at the State Capitol as required by Assembly Bill 2472 (Simitian, Chapter 242, Statutes of 2002).
 - CIWMB staff will continue to participate in major landscape industry trade shows to encourage the use of sustainable landscape practices.
 - CIWMB also will continue to assist the Ecological Farming Association in organizing a sustainable landscaping seminar that will be held in Sacramento on January 10, 2004.
7. **Biosolids:** The fate and health effects of biosolids are becoming a significant issue in the State. With land bans potentially causing additional biosolids to be landfilled, additional air quality regulations for composting facilities and concerns about metals in biosolids, the CIWMB is developing background information and working with appropriate agencies and associations to frame these issues.
8. **Environmentally Preferable Purchasing:** CIWMB will continue to be represented on the EPP Task Force and will participate in the newly formed EPP working groups to define and implement the major elements of AB 498. These working groups include Operation and Maintenance, Best Practices, E-Waste, Stakeholders Liaison, and Master Contracts. Deliverables approved by the EPP Task Force will be developed within the next six months as part of the implementation plan.

Loans/Grants

CIWMB uses a variety of funding opportunities to assist public and private entities in the safe and effective management of the waste stream. Grant and loan programs support public education, waste reduction, market development, load checking, household hazardous waste, or special waste collection, recycling, and reuse projects.

Cal/EPA Goal 4: Communities that are free from unacceptable human health and ecological risks due to exposure from hazardous substances and other potential harmful agents.

Cal/EPA Goals 7 and 8

Accomplishments

1. **Enforcement Assistance Grants:** Local enforcement agencies received \$1.5 million through this grant program to carry out solid waste facilities permit and inspection programs. The agencies spend the funds on equipment, training, and other program support.

2. **Farm and Ranch Grants:** The counties of El Dorado, Colusa, Mendocino, Lake, Yuba, and Nevada were awarded a total of \$145,104 in grant funds from January 1 through June 30 to clean up illegal disposal sites on farm and ranch property in their jurisdictions. In addition, the CIWMB revised the program application and regulations for consistency with SB 1328 (Chesbro, Chapter 628, Statutes of 2002). Staff made presentations to the Rural Crime Prevention Task Force, California Association of Code Enforcement, Illegal Dumping on Tribal Lands Workshop, and the Westside Resource Conservation District.
3. **Solid Waste Cleanup Program:** CIWMB awarded grants to Merced County and the City of Vallejo in the amounts of \$300,000 and \$255,000 respectively, for the cleanup of illegal disposal sites within those jurisdictions. CIWMB also awarded Orange County \$624,020 in matching funds for the Prima Deshecha trash removal project. Program scoring criteria used to prioritize grant proposals for next fiscal year were also approved.
4. **Landfill Closure Loan Program:** AB 467 (Strom-Martin, Chapter 587, Statutes of 2002) requires the CIWMB to create an interest-free landfill closure loan program for solid waste landfill operators who choose to close their older facilities early because of environmental problems associated with unlined landfills. The focus of the program will be on small, rural, unlined landfills. Loan priority will be given to operators of landfills that, if not closed, would create a potential threat to the public health, safety, or the environment. A maximum of \$500,000 may be available annually for this loan program. In May, the board authorized staff to develop draft regulations and submit them for public review and comment.
5. **Used Oil Nonprofit Grant Award:** The fiscal year 2002–03 used oil nonprofit grants were awarded at the April board meeting. Approximately \$2.6 million was awarded to 12 nonprofit organizations for used oil and used oil filter recycling projects. Successful grantees will develop public education for non-English speaking residents, promote the use of re-refined oil, develop oil collection programs at marinas and agricultural sites, and target nonpoint source pollution prevention from used oil.
6. **Used Oil Research, Testing, and Demonstration Grant Award:** The fiscal year 2002–03 research, testing, and demonstration grants were awarded at the board's June meeting. More than \$1.2 million was awarded on a competitive basis for grants for developing collection technologies and/or uses for recycled or used lubricating oil. Successful grantees include universities and private businesses. Projects will be undertaken to assess the effectiveness and evaluate the performance of catch basin insert filters at removing and retaining oil and grease, increase the amount of used oil and filters recycled by independent truckers, and upgrade the quality of re-refined oil.
7. **Waste Tire Enforcement Grants:** This grant program provides funding to city and county agencies with regulatory authority within the city/county government for waste tire inspection and enforcement activities. This program is vital to assuring appropriate and fair enforcement of

tire standards throughout the State. Grant participation has significantly grown this year. In fiscal year 2001–02, the board appropriated \$2 million to the program and funded grants to eight jurisdictions totaling \$900,000. For fiscal year 2002–03, the CIWMB appropriated \$4 million, doubling the amount of money available for this program. Since the deadlines for grant applications in December 2002, staff have reviewed, scored, and recommended to the board the award of 23 grants totaling \$3.7 million. Board staff conducted three training sessions for new grantees in June 2003. Additionally, staff has been responding to a large numbers of requests for assistance on conducting tire inspections.

8. **Track and Other Recreational Surfacing Grants:** The fiscal year 2002–03 track and other recreational surfacing grants were awarded at the March board meeting. Funding in the amount of \$1 million was awarded on a competitive basis to public entities that operate recreational facilities open to the public during normal recreational hours. At its May meeting, the CIWMB redirected an additional \$948,545 to fund additional qualified projects.
9. **Tire Product Commercialization and Applied Technologies Grants:** At the May CIWMB meeting, the board redirected \$1.25 million to fund additional applicants for the fiscal year 2002–03 tire product commercialization and applied technologies grant. A total of \$3.25 million was awarded in this program for fiscal year 2002–03.
10. **Recycling Market Development Zone (RMDZ) Loans:** The CIWMB appropriated \$10 million for new RMDZ loans in fiscal year 2002–03. In addition, approximately \$1.7 million was made available from the Tire Fund for loans to new tire recycling projects. For fiscal year 2002–03, the board approved nine RMDZ loans totaling approximately \$9 million, plus two Tire Fund loans for approximately \$1.7 million. Two of the significant projects funded included the first e-waste recycling business and a firm that takes “hard to recycle” plastics and converts them into alternative fuel.
11. **Reuse Assistance Grants:** The CIWMB solicited and received 36 proposals for a special joint offering of reuse assistance grants. By combining the allocated funds of two fiscal years, staff is maximizing the distribution of funds with a minimum of administrative processes. A total of \$250,000 was awarded from fiscal year 2002–03 funds to six recipient jurisdictions in April to support the development of reuse infrastructures at the local level. Recipients included: a) City of Oakland—\$50,000; b) San Luis Obispo County—\$50,000; c) West Contra Costa Integrated Waste Management Authority—\$49,425; d) City of Santa Barbara—\$46,105; e) City of Santa Clarita—\$49,490; and f) Nevada County—\$4,978 (partial funding).

Priorities

1. **Landfill Closure Loan Program:** CIWMB staff will complete preparations to initiate the formal rulemaking process for the landfill closure loan program in August 2003, and anticipates completing the final regulations by the end of the year.

2. **Used Oil Block Grant:** The fiscal year 2003–04 used oil block grant will be presented for award at the July 2003 board meeting. Pending the availability of funds, approximately \$11 million should be awarded on a non-competitive basis to California cities and counties based on population to implement used oil and filter collection programs. In the fall, program staff will report on expenditures and the ability of local grantees to implement stormwater mitigation activities with grant funds.
3. **Household Hazardous Waste (HHW) Grant Award:** Pending availability of funds in the budget, the fiscal year 2003–04 grant will be presented for award at the September 2003 board meeting. Up to \$4.5 million may be available for grants to cities, counties, and local agencies that reduce the amount of HHW disposed of in solid waste landfills. This grant cycle will be focused on applications that meet statutory requirements and propose a new or expanded HHW program for the collection of e-waste or u-waste.
4. **Used Oil Opportunity Grant Award:** Pending availability of funds in the budget, the fiscal year 2003–04 grant will be presented for award at the November 2003 CIWMB meeting. Approximately \$3.5 million will be available for these grants to local government agencies for programs that develop alternatives to the illegal disposal of used oil. This grant cycle will be focused on applications that propose to support used oil certified collection centers, promote the use of re-refined oil, propose used oil collection programs at marinas, agricultural sources or underserved areas, and/or develop public education programs using the principles of community-based social marketing.
5. **Waste Tire Enforcement Grants:** The CIWMB's five-year plan for the waste tire recycling management program proposed funding \$6 million for the fiscal year 2003–04 through 2007–08 grant cycles, increasing the amount of money available for this grant program. Staff will be continuing extensive outreach efforts to increase participation in the program. Additionally, staff will be providing significant assistance to the existing 23 grantees by providing inspection training and conducting joint tire facility inspections.
6. **Playground Cover Grants:** Pending availability of funds in the budget, CIWMB staff anticipates that the board will award \$800,000 in 2003–04 playground cover grants in October 2003.
7. **Local Government Public Education and Amnesty Day Grants:** Pending availability of funds in the budget, CIWMB staff anticipates that the board will award \$400,000 in 2003–04 for the local government public education and amnesty day grant program.
8. **Track and Other Recreational Surfacing Grants:** At its July 2003 meeting, the CIWMB will consider the applicant eligibility, project eligibility, scoring criteria, and evaluation process for the fiscal year 2003–04 track and other recreational surfacing grant program. Staff anticipates the notice of funds available and the application packet will be released to the public in August 2003. Pending approval of the budget, \$800,000 should be available for grants.

9. **Tire Product Commercialization and Applied Technologies Grants:** At the August 2003 meeting, the board will consider the applicant eligibility, project eligibility, scoring criteria, and evaluation process for the fiscal year 2003–04 tire product commercialization and applied technologies grant program. Staff anticipates the notice of funds available and the application packet will be released in September 2003. Pending approval of the budget, \$1.6 million should be available for fiscal year 2003–04.
10. **Reuse Assistance Grants:** The CIWMB will be awarding additional grants from a special joint offering of reuse assistance grants that was initiated last year. Pending approval of the budget, \$250,000 from fiscal year 2003–04 will be awarded to additional jurisdictions to support the development of reuse infrastructures at the local level. Furthermore, staff will continue managing the projects resulting from the first set of awards, as well as working with grants from previous cycles still active.
11. **RMDZ Loans:** CIWMB staff will continue to work on leveraging strategies to secure long-term funding for the RMDZ loan program. Staff will present the loan leveraging strategy to participate in the State loan guarantee program to the board in the fall of 2003. If the board approves the plan, staff will propose new regulations to implement this effort and seek to have appropriate contract documents in place to begin implementing the strategy by the end of 2003. Staff will also prepare a public notice to solicit bids for the sale of RMDZ loans, the second loan leveraging strategy.
12. **Organic Materials Management:** The CIWMB is seeking potential partners to work together to secure external (other State or federal agency) grant funds for projects that will further common organic materials management objectives, particularly in the areas of waste prevention and market development. This solicitation is being undertaken on an ongoing basis to systematically identify funding sources and to provide ample lead time for aiding the partner in the development of applications to secure long-term funding.

Site Cleanup

Cleaning up and preventing the illegal disposal of municipal solid wastes and tires is a continuing challenge for local government. Board-funded cleanup and enforcement grants provide additional resources for cities and counties to remove threats to public health, safety, and the environment caused by these sites in urban and rural areas across California.

Cal/EPA Goal 4

Accomplishments

1. **Solid Waste Cleanup Program:** The CIWMB completed the cleanup at the Glass Beach Dump in Mendocino County.

The CIWMB also assisted in the emergency fire suppression at the Marks-Nielson fire event, a large construction and demolition debris pile in Fresno County, with U.S. EPA and other local and State agencies.

The \$1.6 million CIWMB-managed cleanup of the remaining debris pile was approved along with five other sites totaling an additional \$1.27 million.

One approved site, the Bethencourt illegal disposal site in Imperial County, was cleaned up by the responsible party as a result, in part, of the CIWMB commitment to clean up the site and pursue cost recovery if the responsible party failed to do so.

Priorities

1. **Closed, Illegal and Abandoned Sites:** CIWMB continues to complete priority investigations of closed, illegal, and abandoned disposal sites for transfer to enforcement phase work. If appropriate, CIWMB provides referral for cleanup through the solid waste cleanup program.
2. **Farm and Ranch Cleanup Grant Program:** CIWMB is preparing a brochure to promote the program to groups newly eligible January 1, 2003, with the passage of SB1328 (Chesbro, Chapter 628, Statutes of 2002). In addition, staff continues to seek out speaking engagements and other ways to promote the program to the appropriate groups.
3. **Solid Waste Cleanup Program:** The CIWMB is implementing the cleanup of the 74,000-cubic-yard debris pile resulting from the Marks-Nielson fire event, which is tentatively scheduled to start in late July and be completed in September 2003. Staff anticipates that the board will award new cleanup contracts in October. The CIWMB will continue outreach and project development for solid waste cleanup program projects.

Integrated Education

By providing curricula and hands-on training workshops to teachers on the topic of waste prevention, CIWMB is committed to creating environmentally literate students/citizens who are able to understand and balance economic interests and environmental sustainability. Promoting educational partnerships at the local level—and teaching respect for the environment and the value of conserving natural resources—is accomplished within the context of the California State education standards for grades K–12.

Cal/EPA Goal 8

Accomplishments

1. **Environmental Education (School Diversion and Environmental Education Law, or School DEEL):** Institutes to train teachers, administrators, school facilities staff, and community partners in developing integrated education plans were scheduled for July and August 2003 at various locations around the state. Consultants published a syllabus for participants and worked with

CIWMB staff in completing grant agreements with the 20 participating school districts statewide. At its June meeting, the State Board of Education adopted an instructional audit tool developed by the education team, cross-media technical staff, external education specialists, and CIWMB consultants. Individualized Web pages have been created and published for each school district participating in the Environmental Ambassador Pilot (EAP) program and will be maintained throughout the term of the program, approximately two years. These pages can be accessed at www.ciwmb.ca.gov/Schools/Ambassador/.

- Staff completed waste assessments for the EAP program grantees, with the assistance of local jurisdiction representatives. As a result, staff prepared waste assessment reports and identified priority diversion opportunities for the school districts. This provides a baseline of diversion activities at the districts from which to measure progress as a result of the EAP program.

Priorities

1. **School DEEL:** Staff will work with consultants in completing training institutes for participating school districts. Concurrently, the team will produce and publish a variety of educational resources and technical materials that support program implementations, including the following:
 - Planning guide for implementing environment-based education.
 - Program evaluation tool.
 - Education resource manual.
 - Facilities manager desktop reference.
2. **Web Environmental Education Unit Project—"E-Text Connection":** With the shift in education towards standards and accountability and an emphasis on textbook instruction, staff members are working to create Web units using the CIWMB education curricula. These units will provide teachers computer access to their grade-level textbooks in each subject area, showing connections where CIWMB education lessons can enhance and extend textbook instruction. Staff has developed a template design and is beginning to work on the elements of this project. Teachers from around the State will field-test these units to ensure accuracy and usability. The composting lessons, developed in partnership with the California Science Teachers Association in 2002, are among the first sets of lessons to be redesigned using this new template. The lessons will be previewed at the annual CSTA conference in October 2003.
3. **Integrated Education:** The School DEEL will continue to support cross-media coordination. DTSC, CIWMB, and DPR will collaborate on an interactive education tool for elementary students on household hazardous waste and oil recycling.
4. **Cal/EPA Integrated Education Effort:** Due to the priority needs associated with the School DEEL, cross-media planning for Cal/EPA education programs has been postponed. Education

and technical staff from all Cal/EPA entities have provided support in developing and reviewing published materials and in planning and implementing the School DEEL institutes. Cross-media education meetings continue to convene monthly.

Waste Diversion/Waste Prevention

By conserving resources through waste prevention, reuse, and recycling, local jurisdictions are closing in on California's 50 percent diversion goal. CIWMB is a leader in this effort, providing training and technical assistance, introducing model programs for food management and composting, and disseminating tips on source reduction to State agencies and businesses. CIWMB is also encouraging incentives for "green" development and a sustainable future in California.

Cal/EPA Goals 6, 7, and 8

Accomplishments

1. **Time Extensions for Local Diversion Programs:** To date the CIWMB has approved 150 applications for time extensions for meeting the 50 percent diversion requirement and/or alternative diversion requirements, as allowed under SB 1066 (Sher, Chapter 672, Statutes of 1997). CIWMB staff is currently receiving status updates from jurisdictions regarding their program implementation and expansion efforts.
2. **Consideration of Jurisdictions' Petitions for New Base Years:** To accurately measure waste diversion, many jurisdictions are revising their base years and conducting waste generation studies. To date the CIWMB has approved new base years for 174 jurisdictions. Eight jurisdictions are currently conducting waste generation studies that the board will most likely consider by the end of 2003. Staff will continue to provide assistance to those jurisdictions in developing new base year and waste generation data for consideration by the board.
3. **Biennial Review of Jurisdictions' Progress in Implementing Diversion Programs:** The board reviewed reports from all jurisdictions for the 1999–2000 biennial review cycle by June 30, 2003. This review, totaling 445 jurisdictions, required 12 months to complete. In comparison, the biennial review that included the last goal year (1995–96) took more than double this amount of time, approximately 27 months. In large part, this streamlining resulted from establishment of the Electronic Annual Reporting (EAR) system.
4. **Electronic Annual Reporting:** Each city and county must report on its waste diversion rate and diversion program implementation. The EAR was used by nearly 99 percent of cities and counties for the 2001 reporting year. Survey results from EAR filers indicate very high customer satisfaction. Ninety-eight percent of respondents said completing an EAR took the same or less time than a paper annual report, and 90 percent agreed or strongly agreed that the EAR was easy to use. The CIWMB added an electronic filing system to assist jurisdictions that have CIWMB-approved time extensions in filing their required twice-yearly updates. To date, all jurisdictions filing time extension reports have done so online.

In addition, the CIWMB Web site has been expanded to include additional tools and information that explain how the diversion rate measurement method works.

5. **Rulemaking:** Work continued on revising the disposal reporting system and the adjustment method regulations. Focused informal workshops on specific topics were held in March. The second draft of the revised regulations was released in May and informal workshops for stakeholder input on the second draft were held in June.
6. **Waste Characterization:** The CIWMB awarded the contract for a statewide study to characterize types of disposed materials. The types of materials left in the waste stream change over time, as diversion efforts continue and expand. The CIWMB needs waste stream data to make policy decisions on where to focus its efforts and to calculate the rigid plastic packaging container recycling rate.

The study design was completed so that field sampling can start in July 2003. Data will be collected for new material types for e-waste as well as standard material types for paper, glass, etc. The CIWMB also entered into an interagency agreement with the Department of Conservation, Division of Recycling, to gather specific data for the first time on California Redemption Value (CRV) containers being disposed.

7. **Implementation of State Agency Diversion Program:** The CIWMB has received annual reports from 397 of the 416 agencies and facilities required to report. CIWMB staff is analyzing these reports to determine if compliance with the 25 percent diversion by 2002 mandate was met. To date, CIWMB staff has completed reviews of 231 reports and forwarded them to the board for approval. Additionally, staff is working with agencies and facilities that reported extremely high diversion to determine the accuracy of reporting. As part of the CIWMB's continued technical assistance to State entities working to achieve the diversion goals, the CIWMB has developed and maintained contracts that provide free recycling services to all State of California agencies and facilities.
8. **Implementation of State Agency Recycling Recognition (STARR) Awards:** The STARR Awards recognize State agencies and facilities for outstanding waste diversion efforts. The CIWMB developed and distributed promotional materials via the Internet, e-mail, and direct mail. Applications for the 2003 STARR awards are due to the CIWMB in July 2003.
9. **Implementation of School District Waste Reduction Program:** The primary goal has been to implement the requirements of the School DEEL. As such, CIWMB staff continues to provide ongoing technical and informational assistance to school districts and local jurisdictions in an effort to develop and improve school district waste reduction programs. This assistance is provided in concert with other related State agencies, such as DTSC and the State and Consumer Services Agency.

In spring 2003, the CIWMB conducted a training program for its staff regarding school district waste reduction programs. This training program highlighted how local jurisdictions, school districts, and board staff can work together to implement districtwide waste reduction programs. The training also featured the CIWMB's Web-based resources for school district waste reduction program implementation. Additionally, in June 2003, CIWMB staff conducted another school district survey to evaluate the implementation of school waste reduction programs in the State. If the CIWMB determines that less than 75 percent of schools have implemented a waste reduction program, the CIWMB must recommend to the Legislature those statutory changes needed to require schools to implement such programs.

The CIWMB also continued to implement its outreach plan targeting school-related professional associations and organizations to highlight the benefits and value of implementing districtwide waste reduction programs. As part of this effort, CIWMB staff made waste reduction presentations at conferences of the California School Food Service Association and the California Association of School Business Officials. Staff also made a presentation at the CIWMB's annual Recycled Product Trade Show.

10. **Annual Business Waste Reduction Awards:** The CIWMB's annual Waste Reduction Awards Program (WRAP) completed the open application period of its 11th cycle on June 30. The WRAP program continues to evolve, addressing priorities established in the 2001 Strategic Plan. Approximately 260 eligible businesses and organizations, representing more than 2,000 facilities, completed the 2003 WRAP application. Applicants focused on topics such as zero waste, product stewardship, and education. The winners will be announced in September to coincide with Pollution Prevention Week.
11. **Food Residuals Program:** In February, the CIWMB approved recommendations developed at the October 2002 Food Residual Diversion Summit. These recommendations, which will guide the board's ongoing food residuals program, include the following:
 - Development of contract concepts and/or legislative proposals that support food diversion programs for CIWMB approval.
 - Development of a Web-based food diversion information clearinghouse.
 - Promotion and development of ongoing technical assistance and resources.
 - Pursuit of partnerships and working agreements with trade associations, food-related regulatory agencies, and other food-related organizations.
 - Adoption of a food waste diversion hierarchy.
12. **Sustainable Environmental Design and Education Program:** Under an interagency agreement with the CIWMB, California Polytechnic State University (San Luis Obispo) completed a survey of several colleges and universities throughout the country to identify programs that include

sustainable environmental design principals. This information will be used to develop a sustainable environmental design curriculum for college and university architecture and landscape architecture programs and for professional continuing education programs.

Priorities

1. **Time Extensions for Local Diversion Programs:** Seven jurisdictions with approved applications for time extensions/alternative diversion requirements have reached their extension deadlines. In the last half of 2003, another 78 will reach their deadlines, with the vast majority (75) ending on December 31, 2003. Staff will review final reports submitted by these jurisdictions and bring reviews or second time extension requests before the board.
2. **Consideration of Jurisdictions' Petitions for New Base Years:** To accurately measure waste diversion, many jurisdictions are revising their base years and conducting waste generation studies. Eight jurisdictions currently conducting waste generation studies should submit studies to the CIWMB for consideration by the end of 2003. Staff will continue to provide assistance to those jurisdictions in developing new base year and waste generation data for approval/adoption by the board.
3. **Electronic Annual Report:** The CIWMB surveyed jurisdictions to determine changes and/or improvements for the next electronic annual report. The CIWMB will implement requested EAR modifications for the annual report detailing programs conducted in 2002. The focus will continue to be on making the EAR more convenient for users, as well as on improving integration with the board's other electronic systems.
4. **Implementation of Diversion Rate Measurement System Report Recommendations:** The CIWMB will continue to monitor the legislative proposal to add enforcement priorities for the disposal reporting system and to promote regional agencies. The CIWMB Web site will also be expanded to include additional tools and information:
 - Web-based training modules for diversion goal measurement and the disposal reporting system are being developed and will be released after approval of revised regulations for the adjustment method and the disposal reporting system.
 - Additional disposal reporting data will be available on the Web. The CIWMB's disposal reporting system records disposal and alternative daily cover tonnages from permitted California facilities, but most of the information has not been readily available. The CIWMB is developing new online reports that will allow customers to quickly and easily access the information they need.
5. **Rulemaking:** The proposed draft regulations for the disposal reporting system and adjustment method will continue to be revised based on comments received during workshops and the informal review process. The formal rulemaking process is expected to start by the end of 2003.

6. **Waste Characterization:** The CIWMB will sample and characterize types of disposed materials in 2003–04. Field sampling will occur for the first two seasons of the four-season study. Summer sampling will occur in July 2003 and fall sampling in October. Databases will be designed to house the data.
7. **Implementation of State Agency Diversion Program:** The primary focus will be completing reviews of agency/facility annual reports submitted in April for the 2002 reporting year. As part of the review, staff will conduct visits at sites reporting less than 25 percent diversion. This verification process will help determine if the reporting agency/facility took all appropriate steps to properly determine diversion. In addition, the process will help identify program areas with potential for increased waste diversion to achieve both the 25 and 50 percent diversion mandates. Staff will also request field visits at those agencies and facilities that report extremely high diversion, allowing the opportunity to learn from successful programs.

Staff also will be preparing for the next reporting cycle beginning in January 2004. The upcoming reports will outline continued compliance with the mandated 25 percent diversion as well as outline how achievement of the 50 percent waste diversion will be achieved by 2004.

Finally, the CIWMB will be working with the Department of Food and Agriculture on the development and enhancement of waste diversion programs at State-run fair and exhibition facilities. Through this joint effort, tools and techniques will be developed that will help not only State-run fairgrounds, but also other large facilities, both public and private, to reduce the amount of materials disposed in California landfills.

8. **State Agency Recycling Recognition (STARR) Awards:** The STARR Awards recognize State agencies and facilities for outstanding waste diversion efforts. The State agency/facility award applications are due to the CIWMB in July 2003. Once received, CIWMB staff will review the award applications and recommend winners to the board for their approval.
9. **Implementation of School District Waste Reduction Program:** The CIWMB will continue to implement its outreach plan targeting school business decision-makers through their school-related professional associations and organizations to emphasize the benefits and value of implementing districtwide waste reduction programs. CIWMB will also make continuous improvements to its Web resources for school district waste reduction, such as adding waste reduction resources for school district transportation departments, frequently asked questions, partnership links, and new school waste reduction models. Additionally, in the fall of 2003, CIWMB staff will conduct another school district survey to evaluate the implementation of school waste reduction programs in the state. When the survey results are compiled in 2004, if the CIWMB determines that less than 75 percent of schools have implemented a waste reduction program, the CIWMB must recommend to the Legislature those statutory changes needed to require schools to implement such a program.

10. **Waste Reduction at Non-State Venues and Large Events:** The CIWMB continues to develop tools and resources aimed at increasing waste reduction at large venues and events, and to make them available on its Web site at www.ciwmb.ca.gov/venues/. Staff will work in conjunction with other State agencies such as the Department of Conservation, Division of Recycling; U.S. EPA; local jurisdictions; industry associations; and venue and event owners/managers to promote venue and event waste reduction and foster the implementation of new programs.
11. **Annual Business Waste Reduction Recognition to Emphasize Strategic Priorities:** The WRAP program will honor several hundred California businesses and other private organizations in its 11th year, many with multiple sites and multiple-year recognition. The 2003 WRAP award winners will be announced in September to coincide with Pollution Prevention Week. The ten selected “WRAP of the Year” winners, annually chosen from the winners-at-large based on outstanding accomplishments, will be announced in November in conjunction with America Recycles Day.
12. **Food Residuals Program:** Staff will update and expand current Web resources and make additions to reflect the adopted hierarchy. The Web site will include more assistance tools, fact sheets, and updated information on biodegradable products. Staff continues to provide ongoing assistance to food banks, composters, renderers, vermicomposters, regulatory agencies, food waste generators, and other stakeholders as well as the general public.

Market Development

Market demand for recycled-content products is essential to the success of recycling and waste reduction programs. The CIWMB’s market development goals are designed to encourage markets for secondary materials generated in California. Through the efficient collection and processing of recycled materials, along with the commitment from manufacturers to use recycled-content feedstock, the board continues to promote the development of high-quality and value-added recycled-content products (RCP) for the California marketplace.

Cal/EPA Goals 6, 7 and 8

Accomplishments

1. **Organics Regulatory Issues:** The board continues to support sustainable organics recycling in the State with efforts on several complex regulatory fronts.
 - SCAQMD Rule 1133: The South Coast Air Quality Management District (SCAQMD) adopted a series of three rules to reduce emissions from compost facilities and related operations. The CIWMB worked closely with SCAQMD to develop these rules, substantially different from originally proposed, to ensure that Rule 1133 provided for emission reductions without negating the diversion mandates of the California Integrated Waste Management Act. Perhaps the most important feature of the adopted rules allows for the flexibilities of alternative reduction strategies that can be accomplished through best management practices

in lieu of fully enclosed, ASP-aerated and biofilter-vented control mechanisms. The CIWMB has also completed additional emissions testing for green waste composting in support of the next phase of rule-making that SCAQMD will be addressing in the near future.

- Clopyralid: CIWMB and DPR have been working cooperatively on this issue for approximately two years. The board and DPR conducted the fourth external stakeholders meeting on March 14. In addition, the board worked closely with DPR in its determination about use restrictions by providing needed data and developing outreach/educational materials for residents and professional landscapers.
 - Sudden Oak Death: CIWMB staff continued to work with the California Department of Food and Agriculture (CDFA) and the U.S. Department of Agriculture (USDA) in resolving waste management issues related to the intrastate movement of *P. ramorum* (sudden oak death) host material. In the next 11 months, University of California, Berkeley will complete the contract with CIWMB for additional research on the use of composting as an alternative treatment method to eliminate *P. ramorum*. At the direction of CIWMB staff, UC Berkeley researchers in 2002 evaluated the commercial aerated static pile method of composting as well as the commercial windrow method. Other composting field experiments involving a high incidence of diseased host material were conducted in 2003 at the request of USDA staff. These experiments were replicated, and the outcome was identical to the previous windrow experiments resulting in no survival of *P. ramorum*. The CIWMB will amend the contract with UC Berkeley for additional research on the efficacy of composting as an alternative treatment method for green waste.
2. **Plastics “White Paper”:** The CIWMB, in cooperation with the Department of Conservation, completed a systematic analysis of the manufacture, use, disposal, and recycling of plastics in California. The CIWMB accepted its contractor’s final report in May 2003 and approved staff recommendations to focus on the following areas:
- A collaborative and comprehensive solution to plastics management in California.
 - Agricultural and commercial film.
 - Biodegradable, bio-based, and compostable plastics.
 - Collection and processing.
 - Large venue recycling.
 - Floatable and marine litter.
 - Support current technology initiatives including conversion technologies and e-waste.
 - Product stewardship and financial responsibility.

3. **State Agency Buy Recycled Campaign (SABRC):** SABRC reports for fiscal year 2002–03 from State agencies and the California State University (CSU) system, in combination with the calendar year reports from the fairs and expositions, revealed all time high reporting figures. Reports came in from 83 percent (171) of the 207 entities required to report, documenting more than \$182.6 million in recycled-content product (RCP) purchases out of nearly \$233.4 spent in all product reporting categories for the year. One agency was audited by the State Controller's Office, and the CIWMB entered into a new interagency agreement with the Department of Finance to conduct SABRC audits of agencies with the largest fleets. CIWMB staff also has been able to conduct or participate in 76 training sessions for SABRC, primarily to State and local government staff. More than 1,400 people from 133 different agencies attended these trainings.
 - A recent list identified 23 statewide contracts, approved by the Department of General Services, providing RCPs. This increase in RCP availability also contributed to CIWMB staff receiving more than 5,000 recycled-content certification forms. These forms will be used to identify and promote the purchase of RCPs and to supplement the RCP database.
4. **Recycled Product Trade Show:** In April, the board sponsored the Fourth Annual Recycled Product Trade Show, which was held at the Sacramento Convention Center. The trade show continues to provide an opportunity for recycled-content product suppliers from all over the country to showcase their products to city, county, State and federal representatives, as well as the private sector.
 - The event featured more than 100 exhibitors that manufacture and distribute products—from office furniture and playground equipment to art work and construction supplies. These products are made from all types of diverted materials. Approximately 1,500 attendees participated in the two-day event, which showcased the latest in RCPs and environmentally preferable products (EPP).
 - In addition to displaying a wide range of newly manufactured RCPs and EPPs, the trade show offered three specialized workshops featuring recycled-content product procurement, model governmental procurement specifications for managing e-waste, and green procurement practices for new school construction.
5. **Rigid Plastic Packaging**
 - CIWMB adopted emergency regulations to establish criteria for the assessment of civil penalties against companies that fail to comply with the rigid plastic packaging container (RPPC) law.
 - The CIWMB determined not to do a certification for 2003 because certain data necessary to calculate the plastics recycling rates were not available in a timely fashion or are no longer published.

- Presenting final results of compliance agreements for the combined 1997, 1998, and 1999 RPPC certification cycle will occur through spring 2004. From January through June, 43 companies achieved compliance and eight companies had their compliance period extended. Eighteen companies had their compliance agreement terminated, were not regulated, or were otherwise determined to have a minimal impact on the California waste stream.

6. **Implementation of Executive Order D-16-00:** This order provides a solid foundation of lasting institutional changes in the way the State designs, constructs, operates, and renovates buildings. “Building Better Buildings: A Blueprint for Sustainable State Facilities,” produced by the Sustainable Building Task Force (SBTF), provides an action plan that task force participants are implementing. Major accomplishments include:

- In January of 2003, Block 225 of the Capitol Area East End Complex was awarded the Leadership in Energy and Environmental Design™ (LEED) version 2.0 Gold Rating from the U.S. Green Building Council for excellence in sustainable design. This is the first State building to receive such an honor, and it sets the bar for future State construction. Other LEED projects underway include: Blocks 171–174 of the Capitol Area East End Complex, Butterfield State Office Building, CalPERS Headquarters Expansion Project, Caltrans District 7 Headquarters Building, and the California Science Center.
- A set of building performance criteria is now included in all Department of General Services (DGS) Architect and Engineering (A&E) and leasing contracts. This criteria covers sustainable building and energy efficiency. The A&E contracts now contain performance criteria that State buildings surpass the Title 24 energy efficiency standard by a minimum of 10 percent, using the LEED-certified point system as a guideline. Certification is not required.
- Research occurred on several building topics including schools, materials, and the evaluation of newly constructed green buildings. Tracking long-term performance is a priority that continues to need technological support and resources for creating and maintaining a database.
- The SBTF Web site, hosted by the CIWMB at www.ciwmb.ca.gov/Greenbuilding/, received more than 150,000 visitors in the past year. This site is in the process of being updated to make it more user-friendly.
- The SBTF initiated activities to improve operations and maintenance. This effort is being implemented on several fronts. First, the Cal/EPA Headquarters Building is participating in the LEED for Existing Building pilot program. Already several new practices have been implemented with impressive results. Building management reports that its operating budget is 82 cents less per square foot than the Sacramento average. Savings in energy alone are \$100,000 annually, and janitorial complaints have dropped by 70 percent. Second, DGS is

developing maintenance and operations guidelines for use in State-owned buildings based, in concept, on guidelines already developed by the state of Pennsylvania.

- CIWMB staff co-chair a subcommittee that is coordinating a State program involving 20 State agencies and organizations that seek to improve portable classrooms. This program is in response to the release of a major study on the environmental condition of classrooms by the California Air Resources Board and Department of Health Services. Currently information is insufficient on how to cost-effectively renovate or retire old portables classrooms. Forty thousand classrooms in the State are more than 10 years old and about 5,000 are more than 30 years old.
 - The DGS, in collaboration with the CIWMB and a private consultant, have trained more than 500 building professionals. Sustainable building staff presented its newest training module on selecting sustainable building materials at three venues statewide, with more than 150 people attending.
 - CIWMB is also working with the Department of Finance and DGS to foster the use of life-cycle costing, which is essential for justifying the higher initial costs of some sustainable building practices. The report for phase I of this study is due by the end of summer 2003.
 - The CIWMB, in collaboration with the Collaborative For High Performance Schools (CHPS), has continued efforts to improve the next generation of K-12 schools by incorporating sustainable design. CIWMB has conducted a series of 12 workshops for 36 school designers on how to build sustainable schools and a series of five workshops for 39 school district officials on the benefits of high-performance school construction. CHPS will also be developing school operations and maintenance guidelines this year to ensure optimum performance of school facilities.
 - During the next decade, higher education institutions will be involved in significant new construction and building renovation exceeding \$20 billion. This includes the construction of the new University of California Merced campus, the first research institution in California to be constructed in the twenty-first century. Recognizing the impact that this stakeholder group will have on the construction industry in California, the SBTf has made partnerships with the University of California, California State University, and California Community College systems a priority. CIWMB staff helped organize the first UC Sustainable Building conference in Modesto in April.
7. **Zone Administrator (ZA) Training:** With technical assistance from the city of Long Beach, CIWMB conducted a ZA training workshop, "Innovations in Brownfields Redevelopment." This workshop provided valuable information about the feasibility of developing brownfields and current economic trends impacting their redevelopment. Speakers included representatives from the U.S. EPA (Region 9) and the Department of Toxics Substances Control.

8. **Recycling Market Development Zone (RMDZ) Redesignations:** The board approved redesignation requests from 13 zones. Two zones, North Coast (formerly called Humboldt County RMDZ) and Sacramento Regional were renewed and approved for expansion. The board also approved the request from the Porterville RMDZ (Tulare County) to merge with the Greater South San Joaquin Valley RMDZ. The RMDZ program continues to be an excellent partnership between the board and local governments to work with local RCP-based businesses in diverting additional materials from the waste stream.
9. **Investor Forum:** With the Materials for the Future Foundation, RMDZ staff brought six recycling-based manufacturers to an investor forum that was hosted by Golden State Capital Network. This forum provided an excellent venue to educate angel investors and capital venture organizations about the recycling industry in California. There was much interest from the audience about the opportunities available for using RCPs; however, staff has not documented additional financial support to these businesses resulting from the forum.
10. **Economic Gardening Demonstration Project:** This demonstration project, led by a project team based out of CSU San Bernardino, ended in June. The primary goal of the project was to apply economic gardening techniques to recycling-based manufacturers in the RMDZs. During the 18-month project 28 businesses, representing about one-third of the RMDZs, participated in this project. Overall, it appears that the participants gained valuable information on how to improve their business operations and/or increase local and regional markets for their RCPs. As part of the project deliverables, the contractor provided information about how economic gardening services might be incorporated into the ongoing RMDZ program. By fall 2003, CIWMB staff will determine the feasibility of continuing economic gardening as a core RMDZ service.
11. **Grant Award:** The CIWMB awarded a \$27,500 grant to UC Riverside to determine the feasibility of converting grease generated at food service facilities within Yosemite National Park into biodiesel fuel for use in the park's vehicle fleet. The fuel would be used in the park tour buses. Air emissions will be measured by the Air Resources Board as well as by three private companies. A positive outcome would result not only in the conversion of this waste product into an energy resource, but also a reduction in transportation costs and air emissions related to land application of the grease in the Central Valley.

Priorities

1. **Recycling Market Development Zone Re-Designations:** Zone designations for three more RMDZs expire in the second half of 2003. CIWMB staff will work closely with the zone administrators to present re-designation requests to the board in a timely manner so that RMDZ program services will continue uninterrupted.
2. **Implementation of Executive Order D-16-00:** New activities include working with DGS to improve the specification for modular classrooms and increased outreach to higher education and other entities with significant construction activities. Plans are also underway for a major

sustainable building conference for higher education with a focus on UC Merced. Staff will work to better identify opportunities to incorporate sustainable building language in State construction authorizations so change becomes institutionalized.

3. **Jobs Through Recycling:** This project is partially funded by a grant from the U.S. EPA and is focused on strengthening markets for recyclables in the Alameda County region. Staff will continue to work with the project partners to develop an eco-industrial park and publish a case study and final report based on this long-term project. This project ends September 30, 2003.
4. **Organic Materials Management**
 - Clorpyralid: CIWMB and DPR will continue to work on this issue with herbicide manufacturers, the composting industry and other stakeholders on meeting the requirements of AB 2356 (Keeley, Chapter 591, Statutes of 2002), which addresses the issue of persistent herbicides. The board also provided contract funds to collect and analyze compost samples for clorpyralid. This sampling program will also help determine if regulations developed by DPR will help reduce amounts of clorpyralid in compost.
 - PR 1133: CIWMB is continuing to collaborate with the South Coast AQMD, the composting industry, and local jurisdictions to revise the proposed rule(s) into more affordable yet effective control measures. CIWMB will complete an additional evaluation including emissions testing to develop “best management practices” for green waste composting that will reduce emissions.
 - Sudden Oak Death: CIWMB staff will continue to work with CDFA and USDA in resolving waste management issues related to the intrastate movement of *P. ramorum* host material. In the next 11 months, UC Berkeley will complete the contract with CIWMB for additional research on the use of composting as an alternative treatment method to eliminate *P. ramorum* in host material possibly commingled with green waste. A progress report relative to the UC Berkeley research will be sent to USDA and CDFA regulatory staff for consideration of composting as an alternative treatment in the summer of 2003.
 - Biennial Infrastructure Survey: CIWMB has entered into contract for the Second Assessment of California’s Compost- and Mulch-Producing Infrastructure. The final report will be completed in the fall of 2003. This project will provide valuable market information and will provide a second set of data to compare with the first survey.
 - Grant Solicitation Project: One request for external funding has resulted in a three-year (2002–05) grant award of \$110,000 from CDFA’s “Buy California” program. UC Santa Clara Cooperative Extension submitted the proposal, entitled “Developing Technology to Grow Mushrooms from Recycled Urban Waste and Food Scraps and Paper Waste.” Board staff is providing assistance to research the economic feasibility of using a variety of recycled waste materials and practices, including composted yard trimmings and food scraps.

- **Recycled Product Trade Show:** The 5th Annual Recycled Product Trade Show will take place at the Sacramento Convention Center, March 10–11, 2004. CIWMB has established targets of increasing exhibitor participation to 150, receiving \$20,000 in sponsorship revenues, and exceeding 2,000 attendees for the two-day event.
- **State Agency Buy Recycled Campaign (SABRC):** CIWMB will continue its outreach efforts with the goal of capturing \$400 million in total reportable purchases for fiscal year 2003–04. CIWMB has established a goal of 90 percent of agencies reporting. CIWMB will also focus on implementing several suggestions from an SABRC evaluation report, such as increasing the role of DGS in the SABRC, increasing the number of RCPs available on statewide contracts, increased use of the recycled-content certification form, and improvements to the trainings, outreach, Web site, promotional activities, and publications. The Department of Finance will complete procedures for the SABRC audits.

Facility Permitting/Enforcement

The California Integrated Waste Management Act mandates diversion of recyclable materials from the waste stream and the safe handling and disposal of all nonhazardous solid waste. The CIWMB, in partnership with local governmental agencies, is responsible for regulating the operations of solid waste facilities. It also administers remediation programs for orphaned, illegal, and abandoned dumpsites.

Cal/EPA Goals 4, 5, 7 and 8

Accomplishment

1. **Local Enforcement Agency (LEA) Training:** CIWMB provided a variety of LEA training sessions that included inspector field training tours, hands-on landfill gas training, universal waste regulations, Odor Impact Minimization Plan/compostable materials regulations, alternative daily cover, and illegal dumping on tribal lands.
2. **Enforcement Agency:** CIWMB staff, acting as enforcement agency in five local government jurisdictions, conducted 156 inspections of 38 different facilities. This is an ongoing effort.
3. **Compostable Material Regulations:** The CIWMB adopted these regulations in November 2002. The Office of Administrative Law approved and filed the regulations with the Secretary of State on April 4. The regulations immediately became effective.
4. **LEA Evaluations:** CIWMB completed the second cycle of LEA evaluations in December 2002. CIWMB reviewed and revised LEA evaluation procedures and subsequently summarized the second cycle at the March board meeting. CIWMB began the new cycle in April and completed the evaluation for the City of West Covina. CIWMB completed monitoring LEA compliance with the evaluation work plans that addressed performance issues identified in LEA evaluation results for the following jurisdictions: San Luis Obispo, Monterey, and Amador counties.

5. **Rulemaking:** CIWMB completed the following rulemakings:

- Closure and Post-Closure Maintenance: Revision of regulations concerning closure and post-closure maintenance in response to the December 2000 Bureau of State Audits report on the CIWMB.
- Inventory of Solid Waste Facilities That Violate State Minimum Standards: New regulations to establish the process for inclusion on inventory of solid waste facilities that violate State minimum standards.
- Waiver of Permit Terms and Conditions During Temporary Emergencies: New regulations to establish the process for facility operators to request approval to operate outside of the limits and terms and conditions of the solid waste facilities permit in the event of an unforeseeable situation.
- Compostable Materials: Placement of solid waste facilities, operations, and activities operations that handle compostable materials into regulatory tiers, development of associated minimum standards, and adjustment of existing regulations to incorporate these changes.

6. **Solid Waste Facility Permits:** The CIWMB concurred in the issuance of the following major permit revisions:

- Bradley Landfill West and West Extension (City of Los Angeles), issued April 9.
- Tajiguas Sanitary Landfill (County of Santa Barbara), issued May 2.
- Sunshine Canyon Landfill (City of Los Angeles portion), issued May 21.

Priorities

1. **Landfill-Gas-to-Energy (LFGTE) Task Force:** CIWMB will continue to participate in LFGTE task force as requested. CIWMB will implement the plan to incorporate flexibility for State approval of alternative landfill projects upon adoption by U.S. EPA of a Subtitle D regulation on research, development, and demonstration projects.
2. **LEA Training:** CIWMB continues to provide a variety of classes to the LEAs, facility operators, and staff. Classes will include topics such as radioactive waste, State minimum standards, construction, demolition, inert debris regulations, compostable materials, permitting and enforcement, and illegal dumping on tribal lands.
3. **LEA Evaluations:** Currently, CIWMB is evaluating the following LEA jurisdictions: Merced, Santa Clara, Tuolumne, Ventura, Santa Barbara, Siskiyou, and San Joaquin counties, and the cities of Pittsburg and Sacramento. CIWMB continues to monitor the City of San Jose, and the Fresno, Mono/Alpine, Tehama, Tulare, Kern, and Lassen County LEAs for compliance with evaluation work plans developed during the last evaluation cycle.

4. **Best Management Practices (BMP) for Compostable Materials:** CIWMB staff continues to work with other Cal/EPA entities, CDFA, and University of California contacts on various issues. These include potential bioaerosols, clopyralid, and other persistent pesticides in composting, plant pathogens such as sudden oak death, and avian and potential animal product composting. Staff has started the process of initial scoping and information-gathering for the next phase of compostable materials regulatory effort that will initially address potential small quantity generator exemptions.
5. **Universal and Electronic Waste Working Group Support:** CIWMB staff continues to participate in the universal waste and electronic waste working groups and to facilitate response to, and resolution of, LEA concerns regarding these issues.
6. **Solid Waste Facility Permits:** CIWMB anticipates the submission of applications for the expansion or creation of the following major landfills:
 - Puente Hills Landfill (County of Los Angeles), scheduled to be issued July 11.
 - Gregory Canyon (new landfill) (County of San Diego).
 - Sunshine Canyon Landfill (County of Los Angeles portion).
 - Potrero Hills Landfill (Solano County).
7. **Upcoming Activities and Workshops:** The CIWMB is scheduled to hear a number of items and conduct workshops on its policy on long-term violations; the anticipated Federal Subtitle D research, development and demonstration rule; bioreactor landfill status and performance (field trip and workshop); and the applicability of new requirements in the construction and demolition transfer/processing regulations to other regulatory packages. The CIWMB also will be planning the next LEA conference in spring 2004, which will include training on radioactive waste load checking, California Division of Occupational Safety and Health (Cal/OSHA) requirements, and other current topics.

Waste Tires and Special Waste

The CIWMB is responsible for the safe management of more than 36 million waste tires generated, imported, and stockpiled annually in California. The five-year plan for the elimination of waste tires requires that CIWMB undertake cleanup activities for illegal tire sites, upgrade the waste tire hauler program, stimulate market activities, and implement a tire disposal fee for each new tire sold in California. The CIWMB is also responsible for the oversight of the State's used oil and household hazardous waste recycling programs. The CIWMB works in conjunction with local governments and private organizations to encourage Californians, through public outreach and grant programs, to properly manage and recycle used motor oil and hazardous household products.

Cal/EPA Goals 2, 4, 5, 7 and 8

Accomplishments

1. **Five-Year Plan:** CIWMB will continue to implement the provisions of the five-year plan, including addressing staffing needs, managing various contracts, implementing priorities for cleanup set in the plan, and awarding and administering grants under the eight grant programs. The two-year revision effort, mandated by SB 876 (Escutia, Chapter 838, Statutes of 2000), was completed in May 2003. The plan focuses on funding for the core programs: enforcement, remediation, hauler manifest system, and implementing SB 1346 (Kuehl, Chapter 671, Statutes of 2002), the rubberized asphalt concrete grant program. In addition, the plan funds efforts in product stewardship, social marketing, and an increase in resources for local government enforcement activities.
2. **Remediation of Illegal Sites**
 - **Westley Tire Fire Site:** Although the board has been successful in obtaining settlements from several of the responsible parties, the board is continuing to work with the Office of the Attorney General to pursue cost recovery from the remaining responsible parties.
 - **Tracy Tire Fire Site:** U.S. EPA has completed the initial site characterization work. The CIWMB is coordinating with U.S. EPA and other Cal/EPA entities on the remedial action plan for this site. In addition, the CIWMB has awarded contracts and is beginning implementation of the remedial action plan and site cleanup.
3. **Local Government Waste Tire Cleanup Grants:** The local government waste tire cleanup grant program provides funding to local governments for the removal, transport, and use or disposal of waste tires from tire stockpiles or nuisance dumping in their communities. In May and June, the board awarded 11 cleanup grants totaling \$646,260. These grants funded cleanup of an estimated 190,000 tires.
4. **Waste Tire Recycling Conference:** CIWMB has contracted with CSU Sacramento to sponsor a tire recycling conference, which is scheduled for September 2–4, 2003 in Sacramento. A variety of speakers will cover a diverse set of topics that include emerging issues, border issues, grant writing, waste tire permitting and enforcement issues, rubberized asphalt, illegal dumping, landfilling, and fire suppression and prevention.
5. **Waste Tire Manifest Tracking/Monitoring System:** Prior to the July 1, 2003, implementation of the new California uniform waste and used tire manifest system, the CIWMB held training classes at eight locations throughout the State during May and June. Each location offered separate sessions for haulers and generators/end users. Half of the locations offered a session in Spanish. As part of this training, the CIWMB developed guidance manuals and quick reference field guides in English and Spanish. An online help page, including frequently asked questions and a toll-free number, has been established to provide stakeholders additional assistance. Staff continues to assist businesses preparing to comply with the new manifest system in several areas that include:

- Issuing tire program identification numbers to the approximate 8,000 generators and 1,600 waste tire facilities (end-users).
- Responding to requests for 85,000 trip logs and 240,000 manifest forms.
- Fielding the many questions about the new program.

In response to the stakeholder support needed for the program, a new phone system was installed to handle an approximate 440 calls received per week. Additionally, staff has continued to work on the complex data management system being developed to track all the tires in the State from the point of generation to the point that the tires are recycled, reused, or disposed.

6. **Technical Working Groups**

- California Resource Recovery Association's Household Hazardous Waste Technical Council: CIWMB staff participates in this ad hoc household hazardous waste group that studies extended producer responsibility issues related to cathode ray tubes and e-waste.
- Electronic waste working group: An interdisciplinary team of CIWMB staff meets monthly to share infrastructure, legislative, program development, and research information with DTSC and Cal/EPA.

7. **Community-Based Social Marketing:** Staff conducted or participated in workshops and training sessions to introduce grantees to various social marketing techniques designed to enhance ongoing publicity and education efforts.
8. **Evaluation of Health Effects of Recycled Waste Tires:** At its June meeting, the CIWMB approved a scope of work and contract award of \$300,000 to the Office of Environmental Health Hazardous Assessment for an evaluation of the health effects of recycled tire products used for playground and track surfacing.
9. **Tire Technology Demonstration Projects Contract:** At its June meeting, the CIWMB approved a scope of work and contract award of \$100,000 to the Department of General Services to conduct data collection and outreach, and to demonstrate and analyze tire-related technologies.
10. **Tire Evaluation of Waste Tire Devulcanization Technologies Contract:** In May, the CIWMB approved the award of this contract for \$99,254 to Cal Recovery Inc.

Priorities

1. **Waste Tire Manifest Tracking/Monitoring System:** The new waste/used tire hauler manifest system was rolled out July 1, 2003. CIWMB staff will be monitoring the new manifest system during the next six months and analyzing the need for additional stakeholder training and assistance and for system modifications. Staff will be scanning trip logs and manifest forms and fine-tuning the data management processes and staff procedures to reconcile each load of tires

generated, transported, and disposed. Reconciliation of this data is crucial to the success of the enforcement of the waste tire hauling and storage regulations and the reduction of chronic illegal tire dumping throughout the State. Staff will develop video training materials on the new manifest system in English and Spanish for haulers and for the California Highway Patrol.

2. **Five-Year Plan:** The first two-year revision of the five-year tire plan covers fiscal years 2003–04 through 2007–08. During the next six months, staff will be developing the new rubberized asphalt concrete (RAC) grant program for funding public works projects that use RAC. In addition, staff will be implementing seven previously existing grant programs and 25 new contracts, along with ongoing management of 15 existing contracts.
3. **Remediation and Illegal Sites:**
 - Tracy Tire Fire Site: Remediation work on the Tracy tire fire site is expected to begin in summer 2003 and take three to four years to complete. These efforts are being coordinated with the appropriate local and State regulatory agencies.
 - Sonoma Waste Tire Sites: The CIWMB directed its staff to initiate board-managed cleanup of eight illegal waste tire sites in Sonoma County that pose a significant threat to public health and safety, and to the environment. These efforts will be coordinated with the property owners' implementation of erosion control measures at their individual sites. Negotiations are underway with the property owners and the appropriate regulatory agencies to determine site-specific remediation and erosion control measures. Tires were originally placed at these sites to address the erosion problems that plague this area.
 - Westley Tire Fire Site: The board will continue to work with the Office of the Attorney General to pursue cost recovery from responsible parties that have not reached settlement agreements.
4. **Community-Based Social Marketing:** Under contract with the CIWMB, CSU San Marcos will implement two pilot projects using community-based social marketing (CBSM) strategies. One project focuses on used oil recycling while the other targets best tire maintenance practices. Pilot projects will be conducted in areas of the State that reflect California's diversity: Napa County (rural), Madera County (suburban) and Los Angeles County (urban). The pilot will meet specific objectives in each participating jurisdiction, such as:
 - Determining the pre-pilot used oil recycling and proper tire maintenance participation rate and gallons recycled.
 - Determining the barriers to used oil recycling and proper tire maintenance behavior.
 - Implementing social marketing strategies that address those barriers.

- Maintaining a control group to compare the behavior change resulting from CBSM to that resulting from traditional marketing.
- Measuring used oil recycling or proper tire maintenance participation rate and gallons of oil recycled after implementation of social marketing strategies.
- Evaluating the impact of social marketing strategies on used oil recycling participation rate and gallons recycled and proper tire maintenance behavior.

Results of the pilot projects will be analyzed to determine the feasibility of a statewide campaign utilizing CBSM techniques.

5. **State Agency Purchasing:** Pending approval of the budget, the CIWMB will consider a scope of work and contract award of \$300,000 in October 2003 to DGS to help State agencies purchase or develop products made from California waste tire rubber.
6. **Consumer Education and Tire Survey and Marketing Research:** At the October 2003 CIWMB meeting, CSU Chico will present a report on market research funded by the board. This research was focused on developing a baseline for current public knowledge of tire maintenance, disposal, the purchasing of longer-lasting tires, and recycled-content waste tire products available to consumers and businesses.
7. **Re-Refined Oil Promotion:** Work will proceed on two projects funded by the CIWMB and designed to increase the use of re-refined oil in California. CSU Dominguez Hills is developing marketing strategies for use within fast-lube (professional oil installer) businesses under a \$150,000 contract with the board. CSU Long Beach will be working to educate fleet managers in the government and private sector on re-refined oil quality and successful uses. Under this \$80,000 contract with the board, CSU Long Beach will identify barriers preventing fleet managers from using re-refined oil and will provide recommendations to overcome the identified barriers.
8. **Industry Re-Refined Oil:** CIWMB staff continues to work with local jurisdictions and the professional oil installer industry to expand the use of re-refined oil. Staff responded to industry complaints concerning local government competitive bid contracts for motor oil that exclude re-refined oil. Staff is now working with fast-lube managers to identify industry needs for re-refined oil outreach materials.
9. **Effort to Streamline Grant Process:** CIWMB staff is undertaking an internal review of administrative and program requirements, procedures, and policies to assess how the program may further improve efficiency and operate with reduced staffing. Due to recent budget reductions, continuing and anticipated program responsibilities, staff is working closely with administrative and executive staff to develop updated priorities and methods of program

operation. These changes, if adopted, are expected to benefit grantees by reducing reporting requirements and facilitating improved grant manager-grantee liaison.

California-Baja California Border Environmental Program

CIWMB is participating in the California-Baja California border environmental program. Various State and local agencies in California and Mexico are addressing air and water pollution, hazardous waste contamination, and other environmental problems in the border region.

Cal/EPA Goal 5

Accomplishments

1. **Used Tire Haulers:** In June CIWMB staff provided training for Mexican used tire haulers (llaneros) on the new waste/used tire hauler registration and manifest requirements.

OFFICE OF ENVIRONMENTAL HEALTH HAZARD ASSESSMENT

ACCOMPLISHMENTS & PRIORITIES: January–June 2003

Office of Environmental Health Hazard Assessment

The mission of the Office of Environmental Health Hazard Assessment (OEHHA) is to protect and enhance public health and the environment by objective scientific evaluation of risks posed by hazardous substances.

Consistent with the goals and objectives outlined in Cal/EPA's Strategic Vision, OEHHA provides health assessments and health risk assessment guidelines to Cal/EPA's boards, departments, and offices. The accomplishments and priorities of OEHHA for the first half of 2003 focus on the scientific investigations and assessments of the health effects of exposures to air pollutants, pesticides, drinking water contaminants, and other hazardous substances. OEHHA also assisted Cal/EPA in promoting environmental justice by providing expertise to Cal/EPA boards, departments, and offices. This was to minimize any disproportionate impacts that hazardous substances may have on low-income and minority communities. Due to the State's current fiscal difficulties, OEHHA priorities listed in this report may be impacted by budgetary constraints.

Strategic Plan Goals

OEHHA's primary responsibility is to develop scientific information needed to protect human health and the environment. OEHHA is not a "traditional" regulatory agency in that it does not issue permits or enforce laws and regulations. Instead, OEHHA provides State and local agencies with information on the toxicity of hazardous substances. That information is then used in setting standards, enacting regulations, and taking other actions to reduce exposure to toxic substances. OEHHA's accomplishments and priorities reflect its responsibilities and support the following goals established in the 2001 Strategic Plan:

Goal 1: Improve the quality of the public's health and the environment.

Goal 2: Advance the science for the evaluation of risks posed to the public health and environment, and provide risk assessment leadership for the State of California.

Goal 3: Provide quality, useful and equitable service to the public.

Goal 4: Seek continuous improvement in the effective and efficient use of our internal resources to accomplish our mission.

Children's Environmental Health Protection

Under the Children's Environmental Health Protection Act (SB 25, Escutia, Statutes of 1999), OEHHA, in conjunction with the Air Resources Board (ARB) has been investigating health effects of chemical contaminants in the air on children's health. These contaminants include particulate matter and ozone. Children may have greater exposure than adults to airborne pollutants because they spend

more time outdoors and they breathe more rapidly than adults. Children are also more susceptible to the health effects of air pollution because their immune systems and organs are still developing.

As part of these investigations, OEHHA is currently reviewing whether the State's ambient air quality standards are adequate to protect the health of infants and children. OEHHA is also examining contaminants of concern that may be present at school sites.

Accomplishments and priorities under this category are linked to the following Cal/EPA Strategic Vision goals:

Goal 1: Air that is healthy to breathe, sustains and improves our ecosystems, and preserves natural and cultural resources.

Goal 5: Reduce or eliminate the disproportionate impacts of pollution on low-income and minority populations.

Goal 7: Continuous improvement and application of science and technology.

Accomplishments

1. **Ozone Ambient Air Quality Standards:** OEHHA continued the review of scientific literature on the adverse health effects of exposure to ozone. The review will form the basis for a determination as to whether the current State ambient air quality standard for ozone adequately protects the health of infants and children.
2. **School Site Risk Assessment:** OEHHA has developed draft guidelines for conducting multimedia risk assessments for potential chemical hazards at existing and proposed school sites. These guidelines have been posted on the OEHHA Web site for public review and have undergone scientific peer review by a panel of University of California faculty members. They are currently undergoing internal review.

In addition, OEHHA has proposed its first set of health values identifying levels of exposure to five contaminants that would not be expected to pose a health threat to children. These contaminants are cadmium, chlordane, heptachlor/heptachlor epoxide, methoxychlor, and nickel. A draft report covering this work was issued and is undergoing public review and scientific peer review.

3. **East Bay Children's Respiratory Health Study:** OEHHA drafted articles for scientific journals on the results of the East Bay Children's Health Study. This study examined the relationship between busy roadways near schools and respiratory health of the children attending the schools. The study observed an increase in symptoms of asthma and bronchitis in children attending schools in neighborhoods very close to busy roadways.
4. **Statewide Traffic Studies and Children's Respiratory Health:** OEHHA drafted articles for scientific journals of the results of the study evaluating the proximity of California schools to

roadways. The study indicated that 10 percent of California's schools are near busy roadways (greater than 25,000 vehicles per day) and 2.3 percent are very close to high-traffic areas (greater than 50,000 vehicles per day). This data is important in assessing factors in the respiratory health of children.

5. **Risk Assessment Evaluation:** As required by the Children's Environmental Health Protection Act (SB 25, Escutia, Chapter 731, Statutes of 1999), OEHHA continued to evaluate its health risk assessment methods for adequacy in protecting infants and children. This evaluation includes reviewing scientific literature to gain a better understanding of differences in exposure and response to toxicants among children of different ages. The ultimate objective of the evaluation is to improve the methods for identifying levels of exposure that would not be expected to pose a significant health risk in children. OEHHA anticipates that this evaluation and resulting new guidelines will be completed in late 2004.

Priorities

1. **Ambient Air Quality Standards for Particulate Matter:** Criteria Air Pollutants: Ozone: OEHHA will complete a review of epidemiological and toxicological literature in preparation for a re-evaluation of the State standard. This work will be submitted to the ARB to develop a staff report for public comment that contains recommendations for a revised ambient air quality standard(s) for ozone.
2. **School Site Risk Assessment:** The internal review of the draft guidelines for multimedia risk assessment of potential chemical hazards at existing and proposed school sites will be completed in fall 2003. OEHHA also plans to complete a spreadsheet application of the guidelines so that risk assessors can use it to conduct school-site risk assessments. Although the use of a spreadsheet model would not be mandatory, OEHHA intends to use a spreadsheet to facilitate DTSC review of the site assessments.
3. **Health Values:** OEHHA also expects to adopt child-specific health values for the first set of five contaminants in the second half of 2003. In addition, the second set of five chemicals for evaluation will be selected through a review of the literature.
4. **Statewide Traffic Studies and Children's Respiratory Health:** OEHHA will continue conducting more detailed analyses of the proximity of schools to heavily traveled roads to further examine demographic and socioeconomic trends concerning the exposure of California school children to traffic-related pollutants.
5. **Risk Assessment Evaluation:** OEHHA will continue evaluating its health risk assessment methods for adequacy in protecting infants and children.

Public Health Goals

The Calderon-Sher California Safe Drinking Water Act of 1996 requires OEHHA to develop public health goals (PHG) for chemical contaminants in drinking water. A PHG is the level of a chemical contaminant in drinking water that, based upon currently available data, does not pose a significant risk to health. State law requires the Department of Health Services (DHS) to set regulatory drinking water standards as close to the corresponding PHGs as is economically and technically feasible.

Accomplishments and priorities under this category are linked to the following Cal/EPA Strategic Vision goal:

Goal 3: Groundwater that is safe for drinking and other beneficial uses.

Accomplishments

1. **PHG for Arsenic:** OEHHA held a public workshop on arsenic in May and is completing work on revisions of the PHG in response to comments.
2. **PHG for Perchlorate:** The revised draft PHG for perchlorate has been submitted to the University of California President's Office (UCOP) for a second external peer review.
3. **PHGs for 11 Chemicals:** OEHHA has released second drafts of the PHG documents for the following chemicals: asbestos, barium, beryllium, chlorobenzene, 1,1-dichloroethane, diethylhexyl adipate, ethylene dibromide, hexachlorobenzene, silvex, 1,1,2,2-tetrachloroethane, and toxaphene. The documents were posted on OEHHA's Web site for a second public comment period in December 2002. Responses to comments on these documents have been completed, and they are being prepared for final posting.
4. **PHGs for Remaining Chemicals:** Initial draft PHG documents have been completed for all but one of the remaining chemicals with a State maximum contaminant level. Twelve draft chemical documents and two memoranda on radiation screening standards are being internally reviewed. The draft PHGs are being prepared for submission for external peer review. The draft PHG for styrene is still in progress. OEHHA also continued to work on the development of a draft PHG for hexavalent chromium (chromium VI).

Priorities

1. **PHG for Arsenic:** After completing revisions, OEHHA expects to post the arsenic document for its second public review during the second half of 2003. Depending on the extent of public comments and responses needed for this chemical, OEHHA expects to complete a PHG for arsenic during the second half of 2003.
2. **PHG for Perchlorate:** The UC peer review of the revised perchlorate PHG document is in progress, and OEHHA expects to obtain the comments, make appropriate changes to the document, and anticipates issuing the PHG by late 2003.

3. **PHGs for 11 Chemicals:** OEHHA should finalize PHGs for the 11 chemicals cited in the accomplishments section in 2003.
4. **PHG for Chromium VI:** OEHHA expects to submit the draft PHG for UC peer review in the second half of 2003.
5. **PHGs for 17 Additional Chemicals and Memoranda on the Radiation Screening Standards:** OEHHA will continue to work on draft PHGs for 17 chemical contaminants in drinking water. The draft memoranda on the screening standards for gross alpha radiation and gross beta radiation are under review.

Environmental Protection Indicators For California (EPIC)

OEHHA is the lead agency for the Environmental Protection Indicators for California (EPIC) project, which is responsible for developing environmental indicators that will be used to assess the overall health of California's environment and the effectiveness of the State's environmental programs.

Accomplishments and priorities under this category are linked to the following Cal/EPA Strategic Vision goal:

Goal 8: An efficient and effective Cal/EPA in pursuit of its mission.

Accomplishments

1. **Communication and Outreach:** OEHHA made a number of presentations on the EPIC project at various conferences and forums. A set of posters and a display kiosk describing the EPIC project and highlighting a select number of indicators were placed on display in the Cal/EPA Headquarters Building.
2. **Integrate Environmental Indicators Into Cal/EPA Planning Process:** OEHHA provided technical assistance to the Office of the Secretary for developing options for integrating environmental indicators into the agency's planning and decision-making processes. Cal/EPA has initiated efforts at building a "results-based management system" by developing a prototype process that will be pilot-tested using selected programs in the boards, departments, and offices, and in an agency-led program.
3. **Improve and Update Environmental Indicator System:** OEHHA issued a notice soliciting public comment on the effectiveness of the initial set of environmental indicators and ways to improve them.

Air Toxics Hot Spots Program

Health and Safety Code section 44300 (The Air Toxics Hot Spots Information and Assessment Act) mandates OEHHA to develop guidelines for assessing health risks posed by major California facilities that emit air toxins.

Accomplishments and priorities under this category are linked to the following Cal/EPA Strategic Vision goal:

Goal 1: Air that is healthy to breathe, sustains and improves our ecosystems, and preserves natural and cultural resources.

Accomplishments

1. **Reference Exposure Levels:** OEHHA submitted a revised proposed chronic Reference Exposure Level (REL) for fluorides to the Scientific Review Panel (SRP) for review. The REL for fluorides was approved and adopted for the Air Toxics Hot Spots program. OEHHA also conducted a 60-day public comment period for a revised draft of the chronic REL for crystalline silica. A chronic REL is an airborne level of a contaminant that would pose no significant health risk to individuals indefinitely exposed to that chemical at that level. RELs are based solely on health considerations and are developed from the best available data in the scientific literature. The RELs reflect considerations of potential health impacts on infants and children as required by the Children's Environmental Health Protection Act.
2. **Risk Assessment Reviews:** OEHHA has reviewed seven risk assessments submitted by the air districts under the Air Toxics Hot Spots program. The risk assessments address toxic emissions from specific industrial facilities.

Priorities

1. **Reference Exposure Levels:** OEHHA will continue to work with the SRP on approval and adoption of the crystalline silica (10 microns or less in diameter) chronic REL for the Air Toxics Hot Spots program.
2. **Health Risk Assessment Review:** OEHHA will continue to review health risk assessments submitted by the air districts under the Air Toxics Hot Spots program.

Toxic Air Contaminant Program

OEHHA performs risk assessments of substances that are candidates for regulation by ARB under the Toxic Air Contaminant Identification and Control Act (AB 1807, Tanner, Statutes of 1983).

Accomplishments and priorities under this category are linked to the following Cal/EPA Strategic Vision goal:

Goal 1: Air that is healthy to breathe, sustains and improves our ecosystems, and preserves natural and cultural resources.

Accomplishments

1. **Environmental Tobacco Smoke (ETS):** OEHHA drafted a revision to the 1997 report “Health Effects of Environmental Tobacco Smoke.” OEHHA is updating the document to provide a complete and current assessment of the health effects of environmental tobacco smoke for consideration by ARB, which has proposed the identification of environmental tobacco smoke as a toxic air contaminant. The draft is undergoing review by the appointed lead member of the SRP. The revisions focus attention on the health effects of ETS on children, as well as updated information on ETS health effects in general.
2. **Dioxin Toxic Equivalency Factors (TEF):** OEHHA prepared a document updating the TEFs for dioxin-like compounds. OEHHA described the current TEF and those developed by the World Health Organization (WHO). OEHHA proposed to use the WHO TEF for the Air Toxics Hot Spots program. After a public comment period, the SRP reviewed and approved the document, comments, and OEHHA responses. TEFs are numerical factors that express the toxicity of an individual dioxin-like compound relative to the toxicity of 2,3,7,8-tetrachlorodibenzo-p-dioxin (TCDD), one of the principal dioxin compounds.

Priorities

1. **Environmental Tobacco Smoke:** OEHHA will complete the update of the report “Health Effects of Environmental Tobacco Smoke.” The document will undergo public review in fall 2003, followed by review by the SRP in 2004.

Health Risk Assessments for Chemical Contaminants in the Environment

The OEHHA health risk assessments—and the guidance that OEHHA provides to State and local agencies—often form the basis for regulatory actions that reduce the public’s exposure to hazardous contaminants.

Accomplishments and priorities under this category are linked to the following Cal/EPA Strategic Vision goals:

Goal 3: Groundwater that is safe for drinking and other beneficial uses.

Goal 4: Communities that are free from unacceptable human health and ecological risks due to exposure from hazardous substances and other potential harmful agents.

Goal 6: Ensure the efficient use of natural resources.

Accomplishments

1. **Assistance to Regional Water Quality Control Boards, Counties, and Cities:** In the first six months of 2003, OEHHA completed scientific review of risk assessment work plans, final risk assessment documents, remedial alternatives, and supporting technical reports relating to 18

projects. These projects were located within the Central Coast, Central Valley, Lahontan, Los Angeles and North Coast regional water quality control boards, and San Bernardino County.

2. **Assistance to the Integrated Waste Management Board (CIWMB):** OEHHA staff prepared a draft report, "Evaluation of Academic Resources in California for a Tire Research Center," which identifies expertise in California universities and colleges to assist the CIWMB on used tire research and provide options on how it can be utilized.

Priorities

1. **Assistance to Integrated Waste Management Board:** OEHHA expects to complete an evaluation of risks associated with use of recycled polyvinyl chloride. A report should be in the final stages of preparation by the end of the year. In addition, the draft report, "Evaluation of Academic Resources in California for a Tire Research Center," will be presented to the board and then finalized.

Pesticide Exposure Training, Risk Assessments, and Field Investigations

OEHHA trains physicians in treating pesticide poisonings, advises local health officers on pesticide-related illnesses, and assists in the development of pesticide worker-safety regulations. OEHHA also reviews Department of Pesticide Regulation (DPR) risk assessments and other scientific documents concerning pesticides.

Accomplishments and priorities under this category are linked to the following Cal/EPA Strategic Vision goals:

Goal 4: Communities that are free from unacceptable human health and ecological risks due to exposure from hazardous substances and other potential harmful agents.

Goal 5: Reduce or eliminate the disproportionate impacts of pollution on low-income and minority populations.

Accomplishments

1. **Peer Review:** Peer review comments were reviewed and submitted for DPR risk characterization documents for methyl isothiocyanate, metam, and methidathion.
2. **Data Waiver Determination:** OEHHA performed determinations of concurrence or non-concurrence with requests for DPR to waive the requirements for submission of mandatory health effects studies for the following pesticide active ingredients: *Agrobacterium radiobacter*, chromic acid and chromate-containing compounds, brodifacoum, chlorophacinone, 2-hydroxy methyl amino ethanol, iodine and iodine-related compounds, methiocarb, (z) -9-tricosene (Musclaure), nabam, and trichloromelamine.

3. **Health Risk Assessments/Toxicological Evaluations:** Consultation and recommendation was provided concerning DPR's proposal to conditionally register the herbicide Clincher, containing the active ingredient cyhalofop-butyl.
4. **Methyl Bromide:** OEHHA reviewed a new toxicology study submitted by the registrants of methyl bromide to support continued registration. After review, comments were submitted to DPR on its addendum to the risk characterization document for methyl bromide inhalation. Recommendations were provided to DPR on its proposed target air concentration levels for subchronic exposures of residents and workers to methyl bromide.
5. **Pesticide Illness Recognition and Management Training:** Provided physician and other medical care provider training on pesticide poisoning recognition and management at the Kern County Medical Center in Bakersfield.
6. **Pesticide Exposure Field Investigation:** OEHHA provided toxicological assessment and interpretation of pesticide air monitoring results in Lompoc (Santa Barbara County). OEHHA also provided information on the feasibility of further assessment of respiratory illness and cancer incidence in the community compared to other areas.
7. **Guidelines for Cholinesterase-Inhibiting Chemicals:** OEHHA continued to work with DPR on development of guidance for conducting risk evaluations of chemicals that inhibit cholinesterase activity.

Priorities

1. **Assessment of Medical Supervision Program:** OEHHA will initiate development of a plan to assess the efficacy of the medical supervision program in preventing acute pesticide poisoning in workers exposed to cholinesterase-inhibiting pesticides. This will involve cooperation of the county agricultural commissioners, DPR, DHS, applicators, physicians, growers, workers, laboratories, and others.
2. **Pesticide Illness Recognition and Management Training:** OEHHA plans to provide training to the California Medical Association and other medical groups on recognition, management, prevention, and reporting of pesticide illness. The training materials will be expanded to better cover chronic health conditions that may be associated with pesticide exposures and to improve medical confidentiality provisions.
3. **Pesticide Illness Reporting System Improvements:** OEHHA will evaluate its current pesticide illness reporting system, identify weaknesses in the system, and institute remedies for improvement in completeness, quality, and timeliness of reporting.
4. **Criteria and Guidelines for Community Pesticide Illness Investigations:** Working with DPR and DHS, OEHHA will begin development of new criteria and guidelines for investigation of

community pesticide illness episodes for most efficient, coordinated, appropriate, and timely response.

5. **Data Waiver Determinations:** OEHHA will perform determinations on waivers of mandatory health effects data for the pesticide active ingredients chromate and iodine.

Fish Consumption Advisories

OEHHA assesses risks from chemical contaminants in sport fish and issues fish consumption advisories. These advisories provide the public with recommended limits for the consumption of fish species in specific locations that may contain elevated levels of methylmercury and other contaminants.

Accomplishments and priorities under this category are linked to the following Cal/EPA Strategic Vision goals:

Goal 2: Rivers, lakes, estuaries, and marine waters that are fishable and swimmable, and support healthy ecosystems and other beneficial uses.

Accomplishments

1. **Fish Consumption Advisories:** OEHHA posted a draft report and consumption advisories for Camp Far West Reservoir, Lake Combie, Lake Englebright, Rollins Reservoir, Scotts Flat Reservoir, and portions of the Bear and Yuba River watersheds (Placer, Nevada and Yuba Counties). OEHHA held a public workshop to discuss the report and obtain comments.
2. **Technical Expertise on Chemical Contamination in Fish:** OEHHA staff provided technical support and reviewed assessment plans for human health issues for the following:
 - Lake Oroville dam re-licensing environmental impact assessment report, State Water Resources Control Board (SWRCB).
 - Institutional Control Plan for the Palos Verdes Shelf Superfund site, U.S. Environmental Protection Agency.
 - Restoration project surrounding the Palos Verdes Shelf Superfund site, Montrose Settlements Trustees.
 - Fish monitoring programs operated by the San Francisco Regional Monitoring Program and the Sacramento River Watershed Program for fish monitoring.
 - Site evaluation in Humboldt/Arcata Bay, North Coast Regional Water Quality Control Board.
3. **Environmental Justice and Public Communication:** OEHHA staff served on a number of regional groups working to promote better communication about chemical contamination in fish.

OEHHA reviewed materials and provided technical support on health effects of chemicals, fish consumption, risk assessment and risk communication for the following:

- CALFED-sponsored Delta Fish Consumption Task Force.
- San Francisco Bay Fish Consumption Task Force.
- U.S. EPA Technical Advisory Committee for revising Risk Communication Guidance for Fish Advisories.
- Fish Contamination Education Committee (Los Angeles and Orange Counties). This group is developing multi-language education brochures about chemical contamination and fish consumption advice.
- Staff also updated the pages of OEHHA's Web site with information on fish consumption advisories and methylmercury.

Priorities

1. **Fish Consumption Advisories:** OEHHA will respond to comments and revise the draft report and consumption advisories for lakes and rivers in the Bear and Yuba River watersheds (Placer, Nevada, and Yuba Counties). OEHHA will finalize the Black Butte Reservoir (Glenn and Tehama counties) report and advisory. OEHHA will continue work on draft reports and advisories for: San Pablo Reservoir (Contra Costa County), and marine waters in Santa Monica and San Pedro Bay, and the Orange County coast (Los Angeles and Orange counties).
2. **Technical Expertise on Chemical Contamination in Fish:** OEHHA will continue to provide technical support to the SWRCB, regional boards, and other water agencies for assessments of fish in Lake Oroville, Humboldt Bay, and other water bodies. OEHHA will continue to provide technical support to the U.S. EPA and Montrose Trustees for cleanup and restoration projects surrounding the Palos Verdes Superfund site. OEHHA will provide technical support to the SWRCB on implementation of their methylmercury water quality criterion policy. OEHHA will provide input to U.S. EPA on planning its annual national Fish Forum and by reviewing national fish consumption advice.
3. **Environmental Justice and Public Communication:** OEHHA staff will continue to promote better communication about chemical contamination in fish by providing technical support to the Delta Fish Consumption Task Force, the San Francisco Bay Fish Consumption Task Force, the U.S. EPA Technical Advisory Committee for revising Risk Communication Guidance for Fish Advisories, and the Fish Contamination Education Committee (Los Angeles and Orange counties). OEHHA also plans educational presentations to county environmental health programs and other groups on the health effects of methylmercury and OEHHA's fish consumption advisories.

California-Baja California Border Environmental Program

OEHHA is participating in the California-Baja California Border Environmental Program, which involves the work of various State and local agencies in California and Mexico that are addressing air and water pollution, hazardous waste contamination, and other environmental problems in the border region.

Accomplishments and priorities under this category are linked to the following Cal/EPA Strategic Vision goal:

Goal 5: Reduce or eliminate the disproportionate impacts of pollution on low-income and minority populations.

Accomplishments

1. **Lead Contamination Analysis:** OEHHA and DHS continued to analyze samples of Mexican candies for sale on the California-Baja California border and confirmed that lead contamination continues to be present in certain candies and candy wrappers. OEHHA continues to participate in discussions with DHS and U.S. Food and Drug Administration regarding a systematic approach to resolving this problem.
2. **Lead Testing of Children in San Diego:** OEHHA has partnered with the city and county of San Diego to test children, ages one to five, at health fairs and community gatherings in predominantly minority downtown areas. Roughly 50 children have been tested, with 14 of these participating in a pilot of the Prevalence Study of Elevated Blood Lead Levels in Children of Downtown San Diego. OEHHA is also working with the city of Tijuana to perform lead testing in that city.
3. **Training in Toxicology and Risk Assessment:** OEHHA staff partnered with DHS to conduct training in occupational toxicology and occupational medicine. The training was offered to the Industrial Physicians Association of Tijuana and Tecate. Approximately 35 occupational physicians received the training.
4. **Support for Imperial/Mexicali Clean Air Stakeholders Group:** Part-time research assistants have been hired on both sides of the border in anticipation of funding from U.S. EPA Region 9 for a study entitled “Collection and Analysis of Respiratory Illness Data in Imperial County and the Municipality of Mexicali.”
5. **Imperial/Mexicali Issues:** OEHHA is retaining the option of testing fish in the New River for possible development of a fish advisory if appropriate funding can be obtained.

Priorities

1. **Study of Lead Exposure:** Staff will continue to seek funding to conduct the Prevalence Study of Elevated Blood Lead Levels in Children of Downtown San Diego.

2. **Imperial/Mexicali Clean Air Stakeholders Group:** The border coordinator will assist in the study entitled, “Collection and Analysis of Respiratory Illness Data in Imperial County and the Municipality of Mexicali.”

Proposition 65

Proposition 65, officially known as The Safe Drinking Water and Toxic Enforcement Act of 1986, requires the publication and updating of a list of chemicals that are known to the State of California to cause cancer, birth defects, or other reproductive harm. OEHHA is responsible for administering the Proposition 65 program. Accomplishments and priorities under this category are linked to the following Cal/EPA Strategic Vision goals:

Goal 4: Communities that are free from unacceptable human health and ecological risks due to exposure from hazardous substances and other potential harmful agents.

Goal 7: Continuous improvement and application of science and technology.

Accomplishments

1. **Safe Harbor Levels:** Safe harbor levels identify levels of exposures to chemicals listed under Proposition 65 that do not require businesses to provide warnings.

OEHHA finalized and adopted into regulation “safe harbor levels” for 16 chemicals: benzofuran, N-carboxymethyl-N-nitrosourea, 3,3'-dimethoxybenzidine, 3,3'-dimethoxybenzidine dihydrochloride, 3,3'-dimethylbenzidine, 3,3'-demethylbenzidine dihydrochloride, 2-methylaziridine (propyleneimine), phenyl glycidyl ether, tetranitromethane, 2,6-xylylene, p-chloro-o-toluidine hydrochloride, isobutyl nitrite, nalidixic acid, o-phenylenediamine, o-phenylenediamine dihydrochloride, and linuron.

OEHHA also released draft “safe harbor levels” for 15 chemicals: arsenic, benz [a] anthracene, benzene, benzo [b] fluoranthene, benzo [j] fluoranthene, bromoform, 2,4-D butyric acid (2,4-DB, 2,4-dichlorophenoxybutyric acid), m-dinitrobenzene, chrysene, 7H-dibenzo[c, g] carbazole, dibenzo [a, h] pyrene, dibenzo [a, i] pyrene, hydramethylnon, 5-methylchrysene, and N-methylpyrrolidone.

2. **Clarifying Regulations:** OEHHA adopted two sets of amendments to implement regulations for Proposition 65. The initial set of amendments consisted of non-substantive corrections, clarifications, and consolidations of various code sections. The second set of amendments revised the rules and procedures for considering applications from businesses for a Safe Use Determination (SUD). An SUD is an advisory opinion issued by OEHHA concerning the use of a product containing a chemical listed under Proposition 65 that would not pose a risk to the public and, therefore, would not require a warning. An SUD can also help a business determine whether a discharge of the chemical into a drinking water source would be prohibited under Proposition 65.

3. **Changes to Proposition 65 List:** OEHHA added two chemicals to the Proposition 65 list of carcinogens: “carbon black (airborne, unbound particles of respirable size)” and “strong inorganic acid mists containing sulfuric acid.” OEHHA removed sodium saccharin from the list of carcinogens.
4. **Chemicals Under Consideration for Administrative Listing:** OEHHA issued a notice of intent to list diethylhexylphthalate (DEHP) as causing reproductive toxicity, and a notice of intent to list catechol as a carcinogen.
5. **Progress on Chemicals in the State’s Qualified Experts Listing Process:** As a prelude to the preparation of hazard identification documents for evaluating chemicals for Proposition 65 listing, OEHHA issued requests for information on the carcinogenicity of various cholesterol-lowering statin drugs: atorvastatin calcium, cerivastatin sodium, fluvastatin sodium, lovastatin, pravastatin sodium, and simvastatin.
6. **Acrylamide in Food:** OEHHA held a public workshop in May to explore appropriate Proposition 65 regulatory options regarding acrylamide created by cooking foods. Acrylamide, a carcinogen listed under Proposition 65, can form while cooking certain foods at high temperatures.
7. **Safe Use Determinations:** OEHHA received a request for an SUD for the use of interior latex paints. The request was made with respect to the potential Proposition 65 exposure to airborne particles of crystalline silica of respirable size that may result during painting activities (for example, painting and sanding). OEHHA determined that the request complied with the regulatory provisions (section 12204, Title 22, California Code of Regulations). OEHHA also conducted a public hearing on the SUD request.

Priorities

1. **Safe Harbor Levels:** OEHHA will adopt “safe harbor levels” into regulation for as many as 15 chemicals and will propose draft “safe harbor levels” for an additional 8 chemicals.
2. **Additions to Proposition 65 List:** OEHHA will consider the listing of several chemicals under the “authoritative bodies” and “formally required to be labeled” listing mechanisms.
3. **Developmental and Reproductive Toxicant (DART) Committee:** The DART committee will meet in the fall to consider the listing of propachlor and phenol as causing reproductive toxicity. Prior to that meeting, OEHHA will prepare and release hazard identification documents on these compounds.
4. **Carcinogen Identification Committee (CIC):** The CIC will meet in the fall to consider the listing of chloral hydrate as a carcinogen. OEHHA will therefore prepare and release for public and committee review a hazard identification document on the compound. OEHHA will also consult with the CIC on the proposed work plan for acrylamide at that meeting. OEHHA will develop, for a future meeting, individual hazard identification documents for each of the

cholesterol-lowering statin drugs. The CIC at that time would decide upon the addition of individual statin drugs to the Proposition 65 list.

5. **Acrylamide in Food:** OEHHA will continue to evaluate the Proposition 65 requirements concerning acrylamide in food and consider appropriate guidance to facilitate Proposition 65 implementation in this regard.
6. **Safe Use Determination:** OEHHA will prepare an SUD for crystalline silica exposure resulting from the use of interior latex paints to cover or decorate the interior of buildings.

Other Accomplishments

Accomplishments and priorities under this category are linked to all eight of the Cal/EPA Strategic Vision Goals.

1. **Clandestine Drug Labs Program:** OEHHA produced 13 draft technical support documents and 10 draft fact sheets on chemicals that are used to synthesize methamphetamine in clandestine laboratories. OEHHA also conducted experimental studies to evaluate the feasibility of a method for analyzing methamphetamine residues on indoor surfaces. Results of these studies were presented in March at the annual Society of Toxicology meeting in Salt Lake City.
2. **Polybrominated Diphenylethers (PBDE):** OEHHA made presentations at scientific conferences on PBDEs, which are a class of flame retardants that persist in the environment and may affect the development of the brain. OEHHA also provided technical assistance to the Legislature on PBDEs.

Other Priorities

1. **Clandestine Drug Lab Program:** OEHHA will complete laboratory studies validating application of a method for analyzing methamphetamine residues on surfaces and will initiate field validation studies. OEHHA will also finalize the technical support documents and fact sheets that were prepared in the first half of the year and post them on the OEHHA and/or DTSC Web sites.
2. **Risk-Based Screening Levels (RBSL):** OEHHA expects to complete draft RBSLs for at least 25 contaminants commonly found at Brownfield sites. These drafts will be released for public review. A risk-based screening level is an advisory number that identifies a level of chemical that would not be expected to pose a health risk at a contaminated site. SB 32 (Escutia, Chapter 764, Statutes of 2001) requires the development of RBSLs to provide parties interested in the cleanup of Brownfields sites with an idea of the cost and scope of work that would likely be necessary to remediate the site.
3. **Assessment of Recycled Tire Products in Playgrounds:** OEHHA, in collaboration with the California Integrated Waste Management Board (CIWMB), will assess the toxicological and

physical properties of recycled tire products. Literature reviews, field studies, and laboratory analysis will commence during this fiscal year.

4. **Planning of Environmental Health Surveillance System:** OEHHA will continue to coordinate with DHS on the planning of an environmental health surveillance system that will compile data on environmental conditions and chronic diseases that may be caused by environmental factors. SB 702 (Escutia, Chapter 538, Statutes of 2001) mandated a study of such a system.
5. **Comparative Risk Study of Tires as Fuel:** OEHHA will determine the risks of using tires as a supplemental fuel in cement kilns relative to risks from the use of conventional fuels. The study will analyze emissions data from facilities that use tires and facilities that do not use tires as supplemental fuel, and it will compare the estimated total risks from both kinds of facilities. OEHHA will prepare a report for CIWMB.
6. **Bunker Fuel Study:** OEHHA will assist CIWMB in investigating the potential public health impacts of using recycled oil as bunker fuel. As a first step, OEHHA will begin researching the combustion products created by burning bunker fuel and the ways humans could be exposed to them.
7. **Tire Fire Smoke:** OEHHA will begin a project to characterize the hazards that firefighters and other workers may face from the thousands of chemicals in smoke from tire fires. OEHHA will conduct a comprehensive search of the scientific literature on these chemicals and will work with DHS to identify the best strategies for protecting the health of workers who provide emergency response to tire fires.

**STATE
WATER RESOURCES
CONTROL BOARD
and
REGIONAL
WATER QUALITY
CONTROL BOARDS**

ACCOMPLISHMENTS & PRIORITIES: January–June 2003

State Water Resources Control Board and Regional Water Quality Control Boards

The mission of the State Water Resources Control Board (SWRCB) is to preserve, enhance and restore the quality of California's water resources and ensure their proper allocation and efficient use for the benefit of present and future generations.

Water Rights

SWRCB Goal 4: Water resources are fairly and equitably used and allocated consistent with public trust.

Water rights involve the equitable allocation of water for urban, agricultural, and environmental interests. The water rights program authorizes the diversion and/or storage of surface waters for the benefit of California's residents, its environment, and economy.

Accomplishments

1. **North Bay Aqueduct Water Rights Hearing:** The cities of Vacaville, Benicia, and Fairfield filed water right applications to divert water through the North Bay Aqueduct of the Department of Water Resources (DWR). The cities claimed area-of-origin protections and municipal preference to the water. DWR protested the applications and proposed to contract with the cities to provide water diverted under DWR rights. The SWRCB held a status conference on April 2. DWR and the cities settled with an agreement in May and are completing required environmental documentation. The cities will withdraw the water right applications after completing the environmental documents.
2. **Merced Irrigation District/El Nido Irrigation District Consolidation:** The division of water rights issued an order on June 20 approving petitions filed by Merced Irrigation District (MID) to add the service area of El Nido Irrigation District (ENID) to MID's place of use. The ENID service area consists of about 9,400 acres and would be added under licenses 2685, 6047 and 11395. After extensive negotiations, protests against the petitions were withdrawn. The foundation of the successful negotiations was the Merced River Adaptive Management Plan (MRAMP). The MRAMP goals provide supplemental flow in the Merced River during a 31-day flow in April and/or May in quantities similar to those under the San Joaquin River Agreement (SJRA). The SJRA carries out the Vernalis Adaptive Management Plan, a 12-year experiment to determine the importance of flow and export pumping on San Joaquin Chinook salmon smolt survival. The MRAMP guarantees the contribution of water provided on the Merced River under the SJRA will be provided if the SJRA is terminated.
3. **Bay-Delta Decision Court Ruling:** On December 29, 1999, the SWRCB adopted water right decision 1641 implementing the water quality and flow objectives for the San Francisco

Bay/Sacramento-San Joaquin Delta Estuary. This decision allocates responsibility to water right holders that meets the Bay-Delta objectives. The decision approves a petition by the Central Valley Project (CVP) and the State Water Project to use each other's points of diversion in the Delta. The decision also approves a petition by the CVP to make changes in its places of use and purposes. Numerous parties filed lawsuits against the SWRCB, challenging decision 1641 and the associated environmental impact reports. After extensive court proceedings, the Sacramento County Superior Court issued a statement of decision on May 5 that upheld decision 1641 in all but two issues. The court overturned the SWRCB's interpretation of the Westlands Water District's merger statute and the SWRCB's phased implementation of the San Joaquin river flow objectives. The court approved the provisions of the San Joaquin River agreement and upheld the two environmental documents certified by the SWRCB.

4. **Lake Almanor:** In May, the SWRCB issued three permits to Pacific Gas and Electric Company (PG&E) for its Lake Almanor storage and hydroelectric power generation project. In 1990, following an investigation of PG&E's operation of Lake Almanor, the division of water rights determined that PG&E did not have adequate water rights to store water in its 1,143,000-acre-foot capacity. PG&E also lacked sufficient water rights for power generation in its seven downstream powerhouses. California Trout filed an application for storage in Lake Almanor (later assigned to Plumas County) seeking improved fish releases from the dam. Following years of negotiations, PG&E and Plumas County entered into a settlement agreement under which Plumas County withdrew its applications and the remaining protests against PG&E were dismissed, allowing the SWRCB to issue the permits.

Priorities

1. **Lower Yuba River Decision 1644 Reconsideration Hearing:** In May the Yuba County Superior Court remanded to the SWRCB its decision 1644, adopted on March 1, 2001, as amended by order WR 2001-08. Decision 1644 amends several water right permits, authorizing diversions from the Yuba River to include conditions to protect fish and increasing bypass requirements. The court ordered the SWRCB to reconsider decision 1644 in light of additional evidence. On July 16, 2003, the SWRCB adopted a proposed order vacating SWRCB water right decision 1644 and adopting a revised decision 1644.
2. **VAMP 2-Long-Term Transfer Hearing:** In the fall of 2003, the SWRCB will consider a proposed order for long-term transfer involving a change in the place and purpose of licenses 2685, 6047, and 11395 (applications 1224, 10572, and 16186) of Merced Irrigation District/Modesto and Turlock Irrigation Districts. The petition proposes the transfer of up to 47,000 acre-feet of additional water per year to conduct the Vernalis Adaptive Management Plan (VAMP). VAMP is a 12-year experimental program designed to assess export pumping at specific river flows on salmon smolt survival through the Delta. The SWRCB authorized the transfer of up to 110,000 acre-feet per year, but this authorization will not provide sufficient water in all years to meet the flows called for in the experiment.

3. **Bay-Delta Water Quality Control Plan Review:** Under its authority to protect the beneficial uses of water, the SWRCB adopted the water quality control plan for the San Francisco Bay/Sacramento-San Joaquin Delta Estuary on May 22, 1995. Water Code section 13240 requires that water quality control plans be reviewed. Within the next six months, the division of water rights intends to review the 1995 plan to make revisions to the flow and water quality objectives and other specifications. The review will begin with public workshops to identify changes to the plan.

Clean Beaches

Cal/EPA Goal 2: Rivers, lakes, estuaries and marine waters that are fishable, swimmable, support healthy ecosystems and other beneficial uses.

SWRCB Goal 2: Surface waters are safe for drinking, fishing, swimming, and support healthy ecosystems and other beneficial uses.

Bacteria from urban and stormwater runoff, sewage spills, and other sources cause closures and warnings at many Southern California beaches. California's beach water quality standards are more stringent than any other state and protect public health. To eliminate or reduce beach closures, the SWRCB and regional board staffs are carrying out the Governor's Clean Beaches Initiative. The initiative provides \$32.2 million in bond money for projects that eliminate or track the sources of contaminated water flowing to coastal waters.

Accomplishments

1. **Local Projects Funding:** SWRCB staff assisted the agencies receiving clean beaches grant funding and committed an additional \$1.2 million in grant funds. Staff initiated the competitive process to distribute the funding allocated by AB 2534 (Pavley and Nakano, Chapter 727, Statutes 2002) from Proposition 40 (\$46 million). The SWRCB appointed Clean Beaches task force members at its January meeting and then drafted a priority list with the task force and coastal regional boards. The priority list was mailed for public comment on May 30, and it has been submitted for adoption by the SWRCB at its July 2003 meeting.
2. **2002 Beach Closure Report:** This report to the Legislature has been prepared as required by Health and Safety Code section 115910. The report summarizes the State's beach posting and closure activities for the previous calendar year and is designed to improve coastal water quality.
3. **Rapid Indicator Development:** A three-day workshop held in May brought researchers together who are working to develop rapid microbiological analytical techniques. Researchers discussed their methods on the first day; the next two days focused on defining technical, administrative, and financial obstacles and new technologies. A report to the Legislature was prepared as required by AB 639 (Chapter 502, Statutes 2001).

Priorities

1. **Local Projects Funding:** SWRCB staff will assist those receiving Proposition 13 grant funding and will commit an additional \$4 million in Proposition 13 grant funds. Staff will distribute funding allocated by AB 2534 from Proposition 40 (\$42 million). The SWRCB is expected to adopt the priority list at its July meeting. Application forms will be provided to those on the priority list, and completed applications will be reviewed in consultation with the Clean Beaches task force. The SWRCB will commit \$12 million in Proposition 40 grant funds by December 2003.
2. **Rapid Indicator Development:** In July 2003, four groups will be testing their methods against currently used analytical methods. A final report from the contractor—Southern California Coastal Water Research Project—describing its progress is due September 15, 2003. Phase II funding is expected by September 30, 2003.

Surface Water Cleanups—Total Maximum Daily Loads

SWRCB Goal 2

California's surface waters support many beneficial uses, including drinking, swimming, fishing, and aquatic life, as well as agricultural and industrial uses. When the concentration of a pollutant in a river, lake, or other surface waters exceeds standards, cleanup actions are necessary to restore water quality. Actions include individual efforts as well as adopting total maximum daily loads (TMDL).

TMDLs provide a way of restoring California's impaired water bodies. The TMDL process identifies and addresses all sources of a pollutant causing impairment. A permissible amount of a pollutant is allocated to each discharger. Diverse interests in a watershed are part of drafting and negotiating TMDLs. The SWRCB is pursuing program improvements such as training, guidance, local agreements, and long-term strategies.

Accomplishments

1. **Clean Water Act Section 303(d) List:** The SWRCB adopted the 2002 Clean Water Act section 303(d) list on February 4. The new list has 679 impaired waters, an increase of 170 waters from 509 in 1998. The list was submitted to U.S. Environmental Protection Agency (U.S. EPA) on February 28.
2. **San Francisco Bay Mercury TMDL—San Francisco Bay:** A TMDL project report for mercury in San Francisco Bay was available to the public for comments. The report is a milestone toward adopting a basin plan amendment.
3. **TMDLs Adopted as Basin Plan Amendments, January–June 2003:**

Region 3: Central Coast Regional Water Quality Control Board.

- Morro Bay pathogens, May 2003.

- Morro Bay siltation, May 2003.
- San Lorenzo River siltation, May 2003.

Region 7: Colorado River Basin Regional Quality Control Board.

- New River sedimentation/siltation (approved by Office of Administrative Law on January 1 and U.S. EPA on March 31).

Region 8: Santa Ana Regional Water Quality Control Board.

- Newport Bay/San Diego Creek diazinon and chlorpyrifos (April 4, 2003).
4. **Abate New River Pollution from Mexico:** On May 7, the Colorado River Basin Regional Water Quality Control Board adopted resolution no. R7-2003-003, requesting the U.S. federal government expedite efforts to abate New River pollution from Mexico. The resolution requests the U.S. and Mexican governments immediately do the following:
 - Declare New River pollution an emergency requiring immediate corrective action.
 - Reduce risks to public health by eliminating discharges of raw sewage.
 - Respond to emergency raw sewage spills.
 - Reduce public health threats from the New River in Calexico within one year.
 - Make changes to agencies/departments charged with correcting New River pollution if progress is insufficient within one year.

Priorities

1. **Impaired Waters Listing and Policy:** The SWRCB released a draft policy on July 1, 2003, for listing and delisting waters pursuant to Clean Water Act section 303(d). Staff will continue developing a policy and related California Environmental Quality Act (CEQA) documentation for hearings scheduled for fall 2003. Issues to be addressed include acceptable data quality; factors for listing and delisting waters, criteria for prioritizing listed water bodies, and public notice procedures.
2. **TMDLs Scheduled for Regional Board Adoption:**

Region 2: San Francisco Regional Water Quality Control Board.

San Francisco Bay mercury, October 2003.

Region 4: Los Angeles Regional Water Quality Control Board.

- Santa Clara River chloride, July 2003.

- Santa Clara River nitrogen, August 2003.
- Marina Del Rey pathogens, August 2003.
- Marina Del Rey toxics, December 2003.
- Malibu pathogens, November 2003.
- Los Angeles River nutrients, July 2003.

Region 5: Central Valley Regional Water Quality Control Board.

- San Joaquin salt and boron, December 2003.
- Sacramento and Feather Rivers diazinon, October 2003.
- Sacramento Area Urban Creeks chlorpyrifos and diazinon, December 2003.
- San Joaquin River diazinon and chlorpyrifos, November 2003.

Region 7: Colorado River Basin Regional Water Quality Control Board.

- Palo Verde Outfall Drain pathogen, November 2003.

Region 9: San Diego Regional Water Quality Control Board.

- Rainbow Creek nitrogen and pathogen, December 2003.
- Shelter Island Yacht Basin dissolved copper, December 2003.

3. **New River:** Mexico agreed to build a Mexicali II wastewater treatment facility to accommodate municipal growth in Mexicali and deal in the long-term discharges of raw sewage into the New River. The wastewater treatment facility is scheduled for Border Environment Cooperation Commission (BECC) certification in September 2003. Colorado River Basin Regional Board staff are working with U.S. EPA to include equipment to replace failing/inoperative sewer infrastructure in Mexicali in the September 2003 BECC certification package.
4. **San Diego Shipyards:** The San Diego Regional Water Quality Control Board will issue a cleanup and abatement order setting cleanup levels for National Steel Shipbuilding Company (NASSCO) and Southwest Marine for contaminated sediment remediation in San Diego Bay near the shipyards. Work has been delayed because of technical disputes with the responsible parties.

Surface Water Quality Permits

Cal/EPA Goal 2

SWRCB Goals 2 and 6

Regional boards are updating National Pollution Discharge Elimination System (NPDES) permits with numerical objectives for toxics. Implementation is accomplished through the “Policy for Implementation of Toxics Standards for Inland Surface Waters, Enclosed Bays, and Estuaries of California” of the SWRCB. This policy ensures compliance with the national and California toxics rules. Permits addressing these toxic pollutants are complex and are controversial because of the high costs of compliance. As a result, administrative and court appeals of new NPDES permits have increased substantially. The review of waivers and issuance of stormwater permits has increased the permit work load.

Accomplishments

1. **Waivers—SB 390 Implementation:** SB 390 [Chapter 686, Statutes 1999] required the regional boards to review and renew waivers of waste discharge requirements by January 1. Regional boards renewed some waivers and allowed others to expire. Some examples include:
 - Statewide order: In April the SWRCB adopted a statewide general order for low-threat discharges to land. This general order allows regional boards to permit low-threat discharges to land and is an alternative to issuing waivers for these discharges.
 - Waivers—agricultural discharges. In December 2002, the Central Valley Regional Board adopted a new conditional waiver to regulate agricultural wastewater dischargers. The December action established a framework for local watershed groups with the responsibility for assessment and monitoring of local agricultural water quality problems. Seven watershed groups said they would participate in the conditional waiver program. Successful implementation of the watershed programs will be a major step forward in defining agricultural water quality problems and sources, and implementing corrective action. In July 2003 the regional board voted 5-2 to continue the waiver until 2005.
 - Fuel-Contaminated Soils General Waste Discharge Requirements (WDR). The San Diego Regional Water Quality Control Board adopted WDRs to replace conditional waivers (resolution no. 95-63 and 95-96) that expired on January 1. General order R9-2002-0342 regulates the disposal/reuse of fuel-contaminated soils. Specifically, it establishes the waste characteristics and site-specific criteria for reuse of fuel-contaminated soils as engineered fill, rather than being disposed as waste at municipal solid waste landfills.
2. **Statewide Stormwater Permits:**
 - General Permit for Small Municipal Separate Storm Sewer Systems (MS4s): On April 30, the SWRCB adopted this permit for small MS4s. This permit covers counties, municipalities, and other entities required to comply with federal phase II stormwater requirements (smaller jurisdictions). The permit requires stormwater management plans for regional board approval.

- General Permit for Construction Stormwater Discharges: On May 21, the SWRCB adopted this permit for stormwater discharges from linear projects (pipeline, electrical, etc.) that result in a land disturbance between 1 and 5 acres.
- General Permit for Industrial Stormwater Discharges (General Industrial Permit): The SWRCB held public hearings on the general industrial permit on June 19 (Rancho Cucamonga) and June 23 (Sacramento).

3. **Municipal Stormwater Permits:**

- City of Santa Rosa: On June 26, the North Coast Regional Water Quality Control Board adopted the municipal stormwater permit for the city of Santa Rosa including unincorporated areas.
- San Francisco Bay: In February, the San Francisco Bay Regional Water Quality Control Board updated three countywide municipal stormwater permits requiring implementation of treatment measures and flow controls. For the counties of Alameda, Contra Costa, and San Mateo (and the Fairfield-Suisun Urban Runoff Management Program) all new and redevelopment projects that increase impervious surface area by specified amounts need to meet design standard requirements and control changes in runoff flow patterns that impact creek channels. All urbanized counties now have similar requirements for post-construction stormwater controls on new and significant redevelopment projects.

Priorities

1. **Waivers-SB 390 Implementation:** A statewide general order for dredge or fill discharges is being drafted. The SWRCB has received petitions on waivers recently adopted by the regional boards for timber harvesting in the North Coast, and for discharges from irrigated lands in the Central Valley and Lahontan regions. The SWRCB will review these petitions beginning in August 2003.
2. **Waivers—Agricultural Drainage:** The Central Valley Regional Water Quality Control Board is refining the conditional waiver of waste discharge requirements for agricultural wastewater discharges. The regional board is developing an environmental impact report as part of a long-term program identifying and correcting water quality problems associated with irrigated agriculture. The board will consider adoption of a waiver in September 2003.
3. **Statewide Stormwater Permit—General Industrial Permit:** The SWRCB will consider adoption of the general industrial permit, which would regulate stormwater discharges from thousands of industrial operations.
4. **Municipal Stormwater Permit—Central Valley Municipal Stormwater Permits:** The Central Valley Regional Board plans to review the 64 phase II permit applications and stormwater

management plans (SWMP) submitted by phase II municipal storm sewer systems (MS4s) permittees that comply with federal regulations and SWRCB order no. 2003-005-DWQ.

5. **Cargill Salt Ponds:** San Francisco Bay Regional Water Quality Control Board will issue waste discharge requirements to discharge salt pond contents before finalizing CEQA documents, estimated in fall 2003. The regional board's role is developing permits regulating interim management of the salt ponds while the California Coastal Conservancy develops a long-term conversion plan. Interim management involves salinity reduction in ponds in North and South Bay using mostly tidal gravity flow. Restoration of marsh and pond habitats in these locations will occur in 3 to 15 years.
6. **PG&E, Diablo Canyon Nuclear Power Plant:** The Central Coast Regional Water Quality Control Board will consider adoption of an NPDES permit for once-through cooling water in July 2003.

Groundwater Protection and Cleanups

Cal/EPA Goals 2 and 3: Groundwater that is safe for drinking and other beneficial uses.

SWRCB Goal 3: Groundwater that is safe for drinking and other beneficial uses.

Roughly 40 percent of California's drinking water comes from groundwater resources. These resources are threatened by a legacy of toxic materials and wastes. The problems include leaking underground storage tanks containing fuel or solvents and disposing spent chemicals. Components of the State's groundwater protection program include containment and cleanup of groundwater contaminants, improvements in waste and material handling practices, the use of graphical information systems, and using the best science available.

Accomplishments

1. **Perchlorate Roundtable:** The SWRCB convened a perchlorate roundtable from regional water boards, U.S. EPA, Department of Health Services-Office of Drinking Water, Department of Toxic Substances Control, Office of Environmental Health Hazard Assessment, and Cal/EPA Office of the Secretary. The statewide group prioritizes actions and shares information about known and potential sources of perchlorate, impacts, and treatment technologies.
2. **Perchlorate Plume-Rialto-Colton-Fontana:** The Santa Ana Regional Water Quality Control Board issued investigation orders to 18 suspected sources of the perchlorate plume that caused the closure of 20 municipal water supply wells. Wellhead treatment systems were installed on some of the wells, partially funded by the SWRCB cleanup and abatement account.
3. **Perchlorate-Los Angeles Region:** According to the California Department of Health Services, more than 129 water sources and 38 drinking water systems have been affected by perchlorate within the Los Angeles region. Ongoing investigations by the regional board staff have identified

50 suspected perchlorate source sites, which are divided into former/present defense industry contractors, former/existing military installations, and companies that manufacture fireworks or pyrotechnics.

4. **Chromium VI-San Fernando Valley:** The Los Angeles Regional Water Quality Control Board has completed the “San Fernando Valley Chromium VI Investigation Report” and made the 1,235-page document available to the public on CD-ROM. The investigation found that of the 255 suspected sites, 112 require additional follow-up work. Six cleanup and abatement orders have been issued and more are under consideration. U.S. EPA, with the cities of Los Angeles, Burbank, and Glendale are negotiating with the Los Angeles Regional Water Quality Control Board to provide resources to expedite follow-up investigations.
5. **MTBE-Impacted North Hollywood Well Field and Verdugo Well Field:** In 1996 and 1997, MTBE was detected in North Hollywood and Verdugo well fields. The MTBE concentrations were below minimum contaminate levels. Regional board staff conducted a limited investigation of sites that may have MTBE contributing sources within a 1-mile radius of the well fields. Twenty-nine sites around the North Hollywood well field and 11 sites around the Verdugo well field were investigated in 2003. Staff determined that the majority of the cases warranted no further action. No other action letters have been issued to 25 of 29 parties related to the North Hollywood well field and none have been issued to 8 of 11 parties related to the Verdugo well field.
6. **MTBE Sampling at Operating Stations in Santa Clara Valley:** In January, San Francisco Bay Regional Water Quality Control Board staff sent requests for MTBE monitoring to 150 “high threat” operating gas stations located within the Santa Clara groundwater basin. These requests are in response to evidence of new MTBE releases at operating stations with upgraded underground tanks. Board staff worked with the Santa Clara Valley Water District and local agencies to determine which sites would receive the requests. Staff have reviewed and approved MTBE monitoring work plans from 109 of the sites. Staff rescinded 30 requests in cases where station operators demonstrated that they did not meet the “high threat” criteria or that they had recently performed MTBE monitoring. Staff is awaiting work plans from another 14 stations and has sent notices of violation to 5 stations. In MTBE monitoring results from 30 stations, 9 of them had significant MTBE releases to groundwater that went undetected by required leak-detection systems at the stations. The Santa Clara Valley Water District will oversee the cleanup at these sites.
7. **Indoor Air Risk Assessment at Bay Area Superfund Sites:** San Francisco Bay Regional Water Quality Control Board staff received summaries of efforts evaluating indoor-air threats from solvent plumes at 18 Bay Area sites, including 16 federal Superfund sites. Five sites were ordered to complete a focused risk assessment on indoor-air threats using U.S. EPA’s new provisional toxicity factor for trichloroethylene. This effort is being carried out with U.S. EPA after recent

findings about this exposure pathway. U.S. EPA found unhealthy solvent concentrations in indoor air at one of several residences above a Mountain View solvent plume.

The regional board, through a joint U.S. EPA-state “environmental indicators” program, has considered about 30 Resource Conservation and Recovery Act (RCRA) cleanup sites. The San Diego Regional Water Quality Control Board received analytical results for selected radioactive waste constituents in samples of groundwater and leachate collected from nine class III municipal solid waste landfills in the San Diego region. The regional board required the dischargers to provide the SWRCB with analytical results from affected facilities for some or all of the following parameters: gross alpha particle activity, gross beta particle activity, tritium, radium-226, radium-228 and uranium.

Priorities

1. **Bay Area Dairies:** The San Francisco Bay Regional Water Quality Control Board will consider issuing general waste discharge requirements and a waiver of waste discharge requirements for dairies and other significant animal waste facilities. Those dairies that comply with State animal waste guidelines will be eligible for the waiver, while those dairies not in compliance will need to comply with the guidelines and seek coverage under the general permit.
2. **General Monitoring and Maintenance Requirements for Inactive Landfills (pre-1984):** The San Diego Regional Water Quality Control Board will develop general waste discharge requirements for the post-closure monitoring and maintenance of solid waste management units (that is, municipal landfills and former burn-ash sites) that were inactive before 1984.
3. **Perchlorate Plume—South Santa Clara County:** The Central Coast Regional Water Quality Control Board will continue overseeing the investigation and remediation of a perchlorate plume in more than 400 domestic, agricultural, and municipal water supply wells. The responsible party, Olin Corporation, provides potable water to residents while the investigation continues. Water suppliers expect to have several wellhead treatment systems operational in the next few months.
4. **Point Molate Navy Base:** The San Francisco Bay Regional Water Quality Control Board will sign off on the transfer of most of the land at this former base for public use.

Monitoring and Assessment

Cal/EPA Goal 7: Continuous improvement and application of science and technology.

SWRCB Goal 6

Water quality monitoring and assessment provides vital information to determine the health of waters, trends in water quality conditions, the need for follow-up investigations and the basis for prescribing waste discharge limitations in permits.

Accomplishments

1. **Water Quality Assessment:** The Clean Water Act section 305(b) report was finalized in March.
2. **Surface Water Monitoring:** The Surface Water Ambient Monitoring Program (SWAMP) Quality Assurance Program Plan (QAPP) was finalized in January. The QAPP sets the general framework and requirements for monitoring under SWAMP to ensure high quality and consistent monitoring data.
3. **Groundwater Monitoring:** The SWRCB has finalized the comprehensive groundwater quality monitoring program report as mandated by AB 599 (Chapter 522, Statutes of 2001). Groundwater quality sampling for low-level volatile organic compounds and age dating has been completed in Siskiyou, Glenn, Plumas, Shasta, and Butte counties. Voluntary water quality sampling of domestic wells was conducted in the second focus area (western El Dorado County). Sampling groundwater from 10 percent of municipal solid waste landfills for radioactive materials is complete.
4. **Discharger Electronic Reporting System:** In the Bay Area, the major dischargers submit monitoring data electronically (approximately 30,000 data hits per month). Regional board computers automatically review the data to determine compliance with permits.
5. **Central Coast Regional Water Quality Control Board Ambient Monitoring:** In March, the regional board completed a five-year cycle of watershed rotational basin monitoring. This included monthly sampling at hundreds of sites in the region. Data has been checked and is available at www.swrcb.ca.gov/. More than \$10 million in settlement funds have been spent researching and monitoring ambient water quality conditions in the last five years. Research includes sources and types of pathogens responsible for high mortality rates in the California sea otter.
6. **Pesticides—Salton Sea:** The U.S. Geological Survey (USGS) submitted a final draft report in May evaluating the fate and transportation of pesticides in the Salton Sea. Pesticide concentrations were evaluated in the water column and in suspended and bottom sediment from samples collected in three monitoring events. USGS expanded the study to include one round of aqueous trace element analysis. Data from this study will support developing a TMDL.
7. **Perchlorate—Colorado River:** Staff is participating in the multi-agency perchlorate discussion group initiated in February. Perchlorate is a water quality concern because of the extensive use of water from the Colorado River for irrigation, consumption, and recharge. Staff was working with Dionex, a company that manufactures analytical equipment, to improve perchlorate detection in waters with high total dissolved solids, such as the Salton Sea. Because of budget constraints, a contract with Dionex was not carried out. Plans will correspond with the Nevada Department of Environmental Protection to monitor remedial activities in Henderson, Nevada, to eliminate/mitigate perchlorate contamination to the Las Vegas wash.

Priorities

1. **Surface Water Monitoring:** The SWRCB will prepare a SWAMP 10-year implementation plan consistent with the “Elements of an Adequate State Ambient Water Monitoring and Assessment Program” of the U.S. EPA. The draft plan, to be submitted to the U.S. EPA by October 2003, will address the following elements:
 - Comprehensive monitoring strategy.
 - Monitoring objectives.
 - Monitoring design.
 - Water quality indicators.
 - Quality assurance/quality control (QA/QC).
 - Data management.
 - Data analysis/assessment.
 - Reporting.
 - Periodic review of the program.
 - General support and infrastructure planning.
2. **Groundwater Monitoring:** The SWRCB will draft a statewide groundwater quality monitoring implementation plan and complete a groundwater basin assessment for the Santa Clara Valley area.
3. **Aquatic Toxicity—Colorado River Basin:** A 15-month study to evaluate aquatic toxicity in the New and Alamo Rivers was completed in December 2002. Water samples were collected monthly at the international boundary and at the outfall to the Salton Sea by University of California, Davis Aquatic Toxicity Lab. A comprehensive monitoring report is due in September 2003.

Water Quality Control Plans

SWRCB Goal 6

Water quality control plans provide a general plan for achieving water quality goals and objectives. These plans are the basis for the permits issued to dischargers. They define the waters and the beneficial uses to be protected, list the allowable pollutant levels, and set out the measures to achieve these goals. Regional boards develop these plans for major watersheds. The SWRCB adopts statewide plans for water quality issues that are common to more than one region. Water quality control plans are reviewed every three years and are subject to SWRCB approval.

Accomplishments

1. **North Coast Basin Plan:** On June 26, the North Coast Regional Water Quality Control Board adopted a basin plan amendment updating the beneficial uses of surface and groundwaters throughout the region.

Priorities

1. **Site Specific Objectives (SSO) Guidance:** The guidance addresses acceptable concentrations of pollutants in waters that have unique (site-specific) characteristics. The final draft guidance document will be published by August 2003. The document is in a final draft that will be updated as more is discovered through the development of site-specific objectives in California.
2. **Ocean Plan Amendments:** A scoping document on the proposed amendments to the Ocean Plan will be released for public meetings in November 2003.
3. **Policy for Implementation of Toxics Standards for Inland Surface Waters, Enclosed Bays, and Estuaries of California:** Public comments on the policy and staff responses and recommendations will be presented at an SWRCB meeting in September 2003.
4. **Chlorine Objectives and Implementation Policy:** Staff will complete meetings with interested parties and begin developing the draft policy.
5. **Nitrogen/Total Dissolved Solids Task Force:** The Santa Ana Regional Water Quality Control Board will consider basin plan amendments in October 2003 to revise groundwater basin boundaries and water quality objectives for nitrogen and salinity.
6. **Bay Area Stream Wetland and Water Body Basin Plan Amendments:** The San Francisco Bay Regional Water Quality Control Board is proposing to amend its basin plan to include beneficial uses of streams and wetlands related to functions (flood water storage and peak attenuation, water quality enhancement), narrative water quality objectives to protect the uses, and an implementation plan linked to existing permit programs.
7. **Water Reclamation in Mojave River Watershed:** In November 2003, the Lahontan Regional Water Quality Control Board will consider basin plan amendments to provide exemption criteria for discharge prohibitions to the headwaters of the Mojave River watershed. These criteria will allow water reclamation activities in the San Bernardino Mountains.

Nonpoint Source Control and Watersheds

SWRCB Goal 6

An assessment of California's water quality conditions shows that nonpoint sources of pollution have the greatest effect on water quality. Nonpoint sources are not readily controlled by conventional means. Activities such as cultivating or developing land contribute to pollutants in runoff. Controlling nonpoint sources requires using preventive plans and practices.

Accomplishments

1. **Primer on Stream and River Protection for the Regulator and Program Manager: A Technical Reference Circular:** San Francisco Bay Regional Water Quality Control Board staff developed a technical reference to help staff and permit applicants recognize the links between water quality and the physical conditions of stream channels. The reference applies scientific and engineering advancements on the conditions needed for lower maintenance, and for more sustainable and stable river channels. It includes new guidance that has been issued by federal agencies on watershed stream corridor management, floodplain management, and stream channel engineering.

Priorities

1. **Second Five-Year NPS Implementation Plan for California:** The draft “Second Five-Year NPS Implementation Plan for California” will be submitted to U.S. EPA and the National Oceanic and Atmospheric Administration in July 2003.
2. **Compliance Assistance Guidance:** In September 2003, the SWRCB will consider adopting compliance assistance guidance for implementing California’s nonpoint source pollution control program, pursuant to SB 227 (Alpert, Chapter 560, Statutes of 1999).
3. **Regulations for Integrated On-Farm Drainage Management (IFDM) Systems:** In July 2003, the SWRCB will consider adopting a regulatory program for permitting solar evaporators as the drainage and components of IFDM systems. Regulations for IFDM systems are pursuant to SB 1372 (Machado, Chapter 597, Statutes of 2002).
4. **On-Site Wastewater Treatment Systems (OWTS):** Regulations for OWTS have been drafted pursuant to AB 885 (Jackson, Chapter 781, Statutes of 2000). CEQA documentation will occur in the next six months. OWTS include septic tank disposal systems for individual homes.
5. **Upper Guadalupe Flood Control Project:** The San Francisco Bay Regional Water Quality Control Board will consider issuing waste discharge requirements in fall 2003 for the Upper Guadalupe flood control project in Santa Clara County. This will be the third and final component of a flood control project addressing the Guadalupe River that flows through San Jose. The project includes benefits to water quality, including provisions of tidal wetland mitigation.

Financial Assistance

Cal/EPA Goal 5: Reduce or eliminate the disproportionate effects of pollution on low-income and minority populations.

The SWRCB assists communities in eliminating unacceptable human health and ecological risks because of exposure from hazardous substances and other potentially harmful agents. State assistance helps reduce or eliminate the disproportionate impacts of pollution on low-income and minority populations. About 75 percent of the SWRCB annual budget is comprised of financial assistance.

These funds provide grants to clean leaking underground fuel tanks, and loans and grants for wastewater treatment facilities, water recycling projects, nonpoint source projects, watershed projects, and more.

Accomplishments

1. **Federal Nonpoint Source Grants:** More than half of the federal nonpoint source grant contracts for federal fiscal year 2002, amounting to more than \$4.5 million, have been finalized.
2. **Consolidated Watershed and Nonpoint Source Pollution Control Grant Programs:** In March 2003, the SWRCB released a consolidated request for concept proposals. These programs provide up to \$138 million in watershed/nonpoint source (NPS) pollution control funding from Propositions 13 and 50, federal NPS grants, and several other sources. The request for proposals was developed in partnership with the California Bay/Delta Authority, the Resources Agency, the Coastal Commission, and the U.S. EPA. SWRCB staff conducted applicant workshops and received more than 600 concept proposals. Staff sorted the proposals, screened them for eligibility, and disseminated them for review and ranking by panels of multiple stakeholders.
3. **Proposition 13 Water Recycling Construction Bond Funds:** The SWRCB committed \$105 million to local agencies for water recycling projects from the 2000 Water Bond Law, water recycling subaccount.
4. **Proposition 50 Water Recycling Planning and Construction Bond Funds:** In April 2003, the SWRCB committed \$9.2 million of the 9.8 million available in the 2002–03 Proposition 50 water recycling budget for local assistance to seven agencies for water recycling projects. Funding contracts for the seven projects were executed by June 30, 2003.
5. **Statewide Water Recycling Survey:** Office of water recycling staff completed a 2002 statewide water recycling survey indicating that 525,000 acre-feet per year (AFY) of wastewater are currently being recycled. The survey indicates an increase in statewide water recycling of approximately 123,000 AFY since 2000.

Priorities

1. **Proposition 50 Water Recycling Construction Bond Funds:** Criteria for administering Proposition 50 funds for planning, design, and construction of water recycling projects and a draft water recycling grant funding priority list will be established and presented to the SWRCB for adoption.
2. **Consolidated Watershed and Nonpoint Source Pollution Control Grants Program:** The SWRCB will complete the ranking process for the concept proposals and identify those that will be invited to submit full proposals under each funding source. Full proposals will be reviewed and ranked by stakeholder panels.

AIR RESOURCES BOARD

ACCOMPLISHMENTS & PRIORITIES: January–June 2003

Air Resources Board

The mission of the Air Resources Board (ARB) is to promote and protect public health, welfare, and ecological resources through the effective and efficient reduction of air pollutants while recognizing and considering the effects on the economy of the state.

Developing and Implementing New Strategies to Effectively Reduce Air Pollution

ARB is responsible for reducing emissions from motor vehicles, off-road equipment, fuels, consumer products, and air toxics. ARB also recommends pollution control measures for the industrial and commercial sources under the jurisdiction of California's 35 local air districts.

Accomplishments

1. **2003 San Joaquin Valley Plan to Reduce Airborne Particles:** In June, ARB approved the San Joaquin Valley's strategy to attain federal air quality standards for inhalable particulate matter (PM10) by 2010. The plan includes a combined 19 new State and local control measures to cut soot, dust, and aerosol droplets that contribute to unhealthy particle levels throughout the Valley. The State will reduce particle-forming nitrogen oxides (NOx) emissions by 150 tons per day (tpd) in the region through cleaner passenger vehicles, trucks, and off-road equipment, as well as control toxic particles in diesel engine exhaust. New local rules will focus on practices to cut dust from roads and agricultural operations, plus low-emission technology for industry and residential wood burning. The plan now goes to the U.S. Environmental Protection Agency (U.S. EPA) for approval as a revision to the California State Implementation Plan (SIP).
2. **Carl Moyer and School Bus Program Guidelines:** In March and April, ARB updated its guidelines for the Clean School Bus and Carl Moyer programs that reduce diesel particulate and NOx emissions by paying some or all of the incremental cost of engines that are cleaner than required. The updates define how new funding from Proposition 40 will be allocated and expand the project eligibility criteria to allow more particulate matter controls. The Carl Moyer program has helped replace or upgrade more than 4,300 engines in agricultural irrigation pumps, heavy-duty trucks, tug boats, and other applications over the last four years. The Clean School Bus program has helped replace more than 500 older buses with new, lower-emitting models, and retrofit about 1,500 buses with diesel particulate filters.
3. **Retaining Smog Check Benefits in High Ozone Areas:** In March and April, ARB acted to retain existing smog check requirements for vehicles that are five and six years old in areas with high ozone levels. AB 2637 (Cardoza, Chapter 1001, Statutes of 2002) would have extended the current new vehicle exemption in smog check from four to six years unless ARB determined that the extension would inhibit federal Clean Air Act compliance. As a result of the board's findings, new vehicles in areas where the ozone levels are high enough to require an enhanced smog check

program will continue to be exempt for four years. New vehicles in less polluted areas will be exempt for six years.

4. **Pilot Programs to Reduce Emissions from In-Use Vehicles:** In the first half of 2003, ARB staff updated the board on its evaluations of approaches to reduce emissions from existing vehicles. In January, staff reported that a test program to screen and repair heavy-duty diesel trucks for excess NOx emissions was not an effective approach. ARB will pursue alternate strategies to cut NOx from these trucks. In March, staff indicated that a pilot program to evaluate the feasibility of replacing or upgrading emission control equipment on older cars may be a more effective strategy.
5. **Ozone Transport Mitigation Regulation:** In May, ARB strengthened its regulation to specify additional actions that upwind air districts must take to mitigate the impact of ozone-forming pollution transported to downwind regions. Upwind districts must continue implementing all feasible measures to reduce air pollution until the downwind area attains the State ozone standard. The amendments also require upwind districts to apply controls to the same universe of new and expanding sources as their downwind neighbors.
6. **Santa Barbara Ozone Redesignation:** In June, U.S. EPA upgraded Santa Barbara County's air quality status to attainment for the federal one-hour ozone standard. U.S. EPA concurrently approved the region's 10-year plan to keep ozone levels below the standard, based on the continuing emission reductions from ARB's clean vehicle and fuels programs.
7. **Urban Vegetation Information Program:** ARB's Web site now provides information and links for people interested in the air quality impacts of urban vegetation choices. This information is available at www.arb.ca.gov/research/econprog/veginfo/veginfo.htm.

Continuing Priorities

1. **Climate Change Emissions:** In March, ARB hosted an international technology symposium to gather and share information about technologies to reduce global climate change emissions from motor vehicles. This information will support ARB's development of regulations to control climate change emissions from automobiles, as required by AB1493 (Pavley, Chapter 200, Statutes of 2002). ARB also entered into agreements with the University of California, Davis, to study and model consumer response. ARB convened work teams to address inventory and standard development issues. Staff will hold public workshops and present a status report to the board in fall 2003. ARB must adopt regulations by 2005.

Priorities

1. **Diesel Fuel Specifications:** In July 2003, ARB will consider a regulatory amendment to reduce sulfur levels for diesel fuel used in vehicles and off-road equipment from 500 parts per million (ppm) to 15 ppm statewide beginning in 2006. This change is essential to ARB's efforts to cut the health risk from diesel particulate matter. Low sulfur diesel fuel enables use of advanced control

technologies that can reduce emissions of diesel particulates and NOx by up to 85 percent. The 15 ppm sulfur level would align with the national requirement for on-road diesel fuel. But California's existing specifications for other fuel properties remain more stringent than the corresponding federal levels, providing more than 100 tons per day of NOx reductions across the State.

2. **Off-Road Recreational Vehicles:** In July, ARB will consider an amendment to its off-highway recreational vehicle regulations. The amendment would affect 2003 and later off-road vehicles in California's off-highway recreational vehicle areas during the ozone season. The proposed amendments would improve enforceability and preserve the air quality benefits intended by the original regulation.
3. **Software Upgrade for Heavy-Duty Trucks:** In fall 2003, ARB will consider a proposal to reduce NOx emissions by requiring an upgrade of engine software in most 1993 through 1998 model year heavy-duty diesel trucks. The on-board computers in many of these trucks were programmed by the manufacturers to turn off the emission control systems during highway driving to improve fuel economy at the expense of higher NOx emissions. The proposed regulation would accelerate reprogramming for trucks registered in California and out-of-state trucks operating in the State to cut NOx emissions by more than 30 tons per day statewide by 2005.
4. **Lawn, Garden, and Utility Equipment:** In fall 2003, ARB will consider proposed requirements for cleaner new engines used in lawn, garden, and utility equipment (such as mowers, generators, string trimmers, and chain saws). The regulation would tighten limits on engine exhaust emissions and establish new requirements to control evaporative emissions. The measure would reduce compounds that form ozone and fine particles, as well as reduce the release of toxic constituents (like benzene) from gasoline in the equipment fuel tanks over time.
5. **Fees for Stationary Sources, Consumer Products, and Architectural Coatings:** In July 2003, the board will consider a regulation to implement AB 10X (Oropeza, Chapter 1, Statutes of 2003), which authorizes ARB to collect more fees from air pollution sources to recover its costs for associated pollution reduction programs. This budget-balancing measure essentially shifts \$10 million of ARB's stationary source program costs from the State's General Fund to fees paid by the regulated sources. AB 10X raises the total emission fees that ARB can collect, expands the number of facilities subject to this fee, and extends fees to manufacturers of consumer products and architectural coatings for the first time.
6. **State and Federal Strategy for the California SIP:** In fall 2003, ARB will consider its proposed State and federal strategy for the California State Implementation Plan (SIP). The proposal defines 19 potential new State strategies to reduce emissions from cars, trucks, off-road equipment, harbor craft, fuels, and re-fueling infrastructure and consumer products. The proposed measures would reduce emissions that form ozone and fine particles by more than 240 tons per

day statewide by 2010. The strategy also identifies actions the federal government can take to reduce emissions from sources under its jurisdiction, such as out-of-state trucks, construction and farm equipment, ships, and locomotives.

7. **2003 South Coast SIP:** Following local adoption anticipated in August 2003, ARB expects to consider the 2003 South Coast SIP in the fall for approval and submittal to U.S. EPA. The South Coast Air Quality Management District is updating the existing SIP to define the next generation of emission reduction strategies to meet the federal standards for PM₁₀ by 2006 and one-hour ozone by 2010. The proposed revision includes more than 30 new control measures for local and State implementation to reduce emissions from mobile and stationary sources by an additional 110 tpd. The plan also identifies a need for further reductions from all sources, with specific measures to be identified over the next three years.
8. **Ventura County and Mojave Desert SIP Updates:** ARB staff is working with the Ventura and Mojave Desert Air Districts to update each area's SIP by the end of 2003 to reflect the latest vehicle emissions estimates. Emissions from transportation plans must conform to these SIP estimates to allow continued federal funding and approval for transportation projects in Southern California.
9. **Areas that Violate Federal Eight-Hour Ozone Standard:** This summer, ARB will provide monitoring data and air planning boundaries to U.S. EPA to support formal identification of the California areas that violate this standard. Once U.S. EPA designates areas of nonattainment in spring 2004, the transition process will begin from the federal one-hour ozone standard, which is the focus of current SIPs, to the more health-protective eight-hour standard. Plans to achieve the new standard will likely be due in 2007 and require further control measures at the State, local, and national levels. New measures in development for the one-hour ozone SIPs will move California closer to the eight-hour standard as well.

Incorporating Environmental Justice Principles and Children's Health Issues into ARB Actions

During the last two decades, ARB policies and programs have helped to reduce the health risk from air pollution across California. However, ARB recognizes the need to address neighborhood-scale air quality issues. ARB will continue to integrate environmental justice (EJ) and children's health issues into all aspects of its programs, policies, and actions and to improve its outreach efforts.

Accomplishments

1. **Public Participation Guidebook:** In January, ARB released *Let's Clear the Air—A Public Participation Guide to Air Quality Decision Making in California*. Topics covered include: roles and responsibilities of State and local air agencies; how to register a complaint about a source of air pollution; and how to participate in workshops and regulatory meetings. Public interest in the

guidebook has been high, with more than 1,300 copies requested between February and May of 2003.

2. **Report on the Adequacy of the Monitoring Network:** In June 2003, ARB released a draft report on the adequacy of California's air monitoring network in measuring the pollutant levels to which infants and children are exposed, as required by the Children's Environmental Health Protection Act (Escutia, Chapter 731, Statutes of 1999). The draft report finds that the existing network provides a reasonable estimate of exposure from a broad regional perspective and identifies supplemental approaches to better characterize exposure from a community perspective. These approaches include use of mobile monitoring equipment and air quality modeling, as well as funding to develop low-cost community monitoring techniques. The report also documents the findings of six community monitoring studies at schools. The findings revealed pollution levels similar to those captured at nearby regional monitors, except for elevated levels measured very close to pollution sources.

Continuing Priorities

1. **Land-Use Informational Document for Local Agencies:** In late 2003, ARB plans to develop and publish an informational document for local air districts and government agencies to increase awareness of the potential public health consequences of land-use decisions. ARB staff intends to supplement this document over time with fact sheets that address specific sources of air pollution that might be located in or near residential neighborhoods, such as dry cleaners, gas stations, and auto body shops. The land-use informational document is one of the specific commitments in ARB's Environmental Justice Policies and Actions.
2. **Update on Cumulative Impacts Analysis:** In December, ARB will hear a report from staff on development of criteria and methodologies for quantifying the cumulative impacts of pollution sources on specific neighborhoods. ARB continues to work with the statewide environmental justice stakeholders group on this effort and participates in a South Coast Air Quality District committee to address actions that can be taken locally to mitigate cumulative impacts.
3. **Garbage and Recycling Collection Vehicles:** This fall, ARB will consider a proposed regulation to reduce diesel particulate emissions from solid waste collection vehicles. The regulation would require vehicle owners (and municipalities that contract for these services) to phase in use of the best available control technology. Since garbage collection trucks often operate in residential neighborhoods, the proposal is an important step to reduce community risk from exposure to toxic diesel particulate.

Priorities

1. **Stationary Diesel Engine Toxics Measure:** In fall 2003, ARB will propose two regulations to reduce particulate matter from new and existing stationary diesel-fueled engines, based on size. Small and large stationary diesel engines are typically used to power electric generator sets, rock crushers, grinders, sand screeners, cement blowers, cranes, air compressors, and water pumps.

This measure would affect emergency standby power generation, agricultural and construction operations, and other activities.

2. **Transport Refrigeration Unit Toxics Measure:** In fall 2003, ARB will propose a regulation to cut diesel particles from transport refrigeration units (diesel-powered cooling units on cargo containers carried by trucks, trains, and ships that deliver produce, meat, dairy products, and other perishable goods). Compliance options may include installing an ARB-verified particle control system, replacing older diesel engines with cleaner new models, or using non-diesel alternative technologies.
3. **Heavy-Duty Diesel Truck Idling and On-Board Diagnostics:** In fall 2003, ARB will consider two measures to further cut emissions from new heavy-duty diesel trucks and buses, starting with the 2007 model year when significantly cleaner engines are already required. The first proposal would restrict idling via computer controls built into the engine (for example, a shutdown timer or automatic start/stop system to provide climate control on trucks with sleepers). Idling emissions can pose a significant air quality problem near distribution centers, truck stops, and ports. The second proposal would require these new vehicles to come with computerized equipment that can detect excess emissions, alert the operator, and help a technician diagnose and repair the problem.

Promoting the Development, Commercialization, and Use of Zero- and Near-Zero Emission Technologies

Development of low-emission technologies has been essential to improving California's air quality while accommodating growth. However, the State has not achieved all health-based air quality standards. In order to achieve and maintain these standards and reduce health risk from air toxics, California needs to pursue the development, commercialization, and use of zero- and near-zero emission technologies.

Accomplishments

1. **Zero Emission Vehicle Program Amendments:** In April, ARB modified California's requirements for zero-emission vehicles (ZEV) to increase development of fuel cell cars and expand sales of advanced technology partial ZEVs (such as gasoline-electric hybrids), while retaining a role for battery electric vehicles. Automakers can satisfy their ZEV obligation through 2008 with a combination of fuel cell vehicles and hybrid-type vehicles with no evaporative emissions and extended emission warranties (15 years/150,000 miles) that enable pure ZEV development. Alternately, manufacturers that have already made significant numbers of battery electric vehicles can rely on past production to meet the near-term ZEV requirement.
2. **Zero-Emission Vehicle Incentives:** In May 2003, ARB approved \$2.8 million in grants that will help utilities, school districts, city governments, and other fleet operators in environmental justice areas purchase or lease 250 full-function zero-emission vehicles.

3. **Diesel Particulate Matter Retrofit Verification:** As of June 2003, ARB staff has verified the performance and durability of 10 technologies to reduce toxic particles from diesel engines. These include six particulate filters that achieve at least 85 percent control and four oxidation catalysts that get 25 percent particulate control and reduce ozone-forming emissions. ARB has verified one particulate filter and two oxidation catalysts since January.

Continuing Priorities

1. **California Fuel Cell Partnership:** In May, ARB participated in the California Fuel Cell Partnership's three-day, 400-mile "Rally Through the Valley" from the Capitol to Los Angeles to promote fuel cell vehicles. The partnership also completed a successful one-year test of a fuel cell-powered bus and expects to place up to 60 fuel cell vehicles on the road by the end of 2003. In July 2003, the partnership members are expected to formally announce continuation of their successful working agreement through 2007.

Priorities

1. **Report on Reducing Petroleum Dependency:** In July, ARB will consider a joint report from its staff and California Energy Commission (CEC) staff on options for reducing California's petroleum dependency. The report, required to increase transportation energy efficiency, recommends statewide goals for reducing gasoline and diesel fuel consumption. The report also recommends increasing the use of non-petroleum based fuels and advanced transportation technologies, including alternative fueled vehicles, hybrid vehicles, and high fuel efficiency vehicles.
2. **Joint ARB/CEC Conference on Diesel Fuels:** In August 2003, ARB and CEC will host a symposium to discuss alternative diesel fuels and their potential for addressing California's air quality and energy needs. Alternative diesel fuels have the potential to reduce certain air pollutants and fuel consumption, but concerns about supply, demand, performance, costs, and potential negative air quality impacts must be resolved. The symposium will present an opportunity to discuss these issues with industry, government agencies, local air districts, the environmental community, and other interested parties.

Achieving Necessary Emission Reductions Through Compliance Assistance and Aggressive, Firm, and Fair Enforcement

ARB takes great pride in implementing regulations and other programs to improve air quality by limiting or eliminating emissions from statewide sources of air pollution. ARB has established many innovative regulatory programs, but these programs will not deliver the necessary emission reductions unless they are fully enforced.

Accomplishments

1. **Settlement Agreements for Air Quality Violations:** During the past six months, ARB staff has collected settlements totaling more than \$4 million from violators of the board's air quality regulations. Enforcement orders were issued to a variety of companies, including those that manufacture engines, recreational vehicles, furniture polish, and gasoline cans. The largest single settlement in this time (for more than \$1 million) was reached with an automobile manufacturer for selling vehicles with non-certified engines in California. Settlements go into the Air Pollution Control Fund and are used to mitigate pollution from sources throughout the state.

Priorities

1. **Enforcement of School Bus Idling Restrictions:** In July 2003, ARB will distribute informational pamphlets to school districts and fleet operators that describe ARB's regulation limiting school bus idling. This regulation is intended to reduce childrens' exposure to toxic particulates in the diesel engine exhaust. Beginning in August 2003, ARB will respond to excessive school bus idling complaints by sending warning notices to fleets that may be violating the rule. This program complements ARB's ongoing enforcement effort for reducing particulate emissions. The program also includes truck inspections at the roadside, in communities, and at border crossing stations, as well as fleet audits and diesel fuel inspections.

Improving Scientific Understanding of the Relationship Between Air Pollution and Health Effects

ARB's health research program is continuing to advance the understanding of the link between air pollution and public health. ARB is placing an increased emphasis on community health and environmental justice. This is stimulating research within ARB on the health effects of individual and multiple air toxics as well as the impacts of air pollution on vulnerable populations. The indoor air quality and personal exposure program is helping ARB to better understand the sources and health effects of airborne pollutants in schools, homes, and workplaces.

Accomplishments

1. **Children's Pollutant Exposure During School Bus Commutes:** In June, a final report was completed for ARB that examines childrens' exposure to air pollutants inside diesel school buses. The study measured pollutant concentrations inside five diesel school buses during routes in Los Angeles. The concentration of pollutants on the roadways, other vehicles being followed, and the emissions of the buses themselves influenced these high levels.
2. **Report to the Legislature on Environmental Health Conditions in California Portable Classrooms:** In June, ARB and the Department of Health Services released a draft report required by AB 2872 (Shelley, Chapter 144, Statutes of 2000) on the environmental health conditions in portable classrooms. The primary air quality concern is high levels of formaldehyde that accumulate as the chemical is slowly released from composite wood products used in the

structures and furnishings. The report identifies inadequate ventilation as a contributing factor. ARB staff is developing a toxic control measure to reduce the formaldehyde content of composite wood products and the associated risk. The final report, with recommendations for classroom improvements, will be presented to the ARB in July 2003 and forwarded to the Governor and the Legislature in late 2003.

Continuing Priorities

1. **Tobacco Smoke as a Toxic Air Contaminant:** ARB will continue its work with the Office of Environmental Health Hazard Assessment to recommend a formal finding identifying environmental tobacco smoke (ETS) as a toxic air contaminant in 2004. Exposure is primarily from first- and secondhand cigarette smoke and has been associated with a variety of adverse health effects, including heart disease, sudden infant death syndrome, lung cancer, and other respiratory illnesses. Once ETS is identified as an air toxic, ARB may develop measures to reduce ETS exposure.

Priorities

1. **Report to the Legislature on Indoor Air Quality:** In December 2003, ARB will consider a comprehensive report on indoor air pollution. The report will include information on the health effects and sources of indoor pollutants, the impacts of existing regulations and industry practices, and possible mitigation options for homes, schools, and non-industrial workplaces. The report, required by AB 1173 (Keeley, Chapter 987, Statutes of 2002), will be forwarded to the Legislature in early 2004.

Improving Technical Tools to Assess Air Pollution and Evaluating Air Quality Improvement Strategies

Key to the air quality progress California has made are the findings revealed in robust data and the analytical tools underpinning ARB plans, initiatives, and regulatory strategies. ARB will continue to use the best science to answer the basic questions: What pollutants are people exposed to and in what quantities? What are the pollution sources and how much do they emit? How does pollution move, react, and accumulate in the atmosphere?

Accomplishments

1. **New Innovative Clean Air Technology Grants:** In May, ARB approved two Innovative Clean Air Technologies grants to develop and demonstrate new instruments for measuring ambient particulate matter. These projects should help hasten the availability of simple, portable, and relatively inexpensive PM monitoring instruments that can be used by people without extensive training and technical resources.
 - The Berkeley Sensor and Actuator Center received \$291,000 to develop a low-cost particulate matter monitor.

- The University of Southern California received \$144,000 to develop a low-cost monitor for continuous measurement of PM10 and fine particles.
2. **Central California Ozone Study (CCOS):** In June, ARB received an update on CCOS, a large scale ARB-led program of meteorological and air quality monitoring, emission inventory development, data analysis, and air quality simulation modeling in central and northern California. Results are being used to help local districts identify the reductions needed to meet federal and State ozone standards and address the impact of pollution transport across regions and air basins.

Continuing Priorities

1. **Agreement to Transfer Air Quality Monitoring Responsibility in Baja California:** In July, ARB will circulate a revised agreement outlining goals and responsibilities for ARB and Mexico's Secretaría de Medio Ambiente y Recursos Naturales to support the operational transfer of 13 air monitoring stations in Baja California to Mexico. The agencies seek to finalize the agreement by the end of 2003 to ensure the continued availability of air quality data that will be used to develop pollution reduction strategies for the region. ARB will also initiate a pilot project to make real-time air quality data available to communities on both sides of the border.

Priorities

1. **California Regional Particulate Air Quality Study:** In October, ARB will present preliminary analyses of data from the California Regional Particulate Air Quality Study (CRPAQS) at the American Association for Aerosol Research conference. ARB led the public-private study to collect air monitoring and emissions data throughout the San Joaquin Valley and Northern California from 1999 to 2001. The data are now being used to develop air quality models that can help decision-makers formulate effective particulate reduction strategies. This broad region experiences unhealthful particle levels, compromising the health and quality of life for its more than 10 million residents.

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